

EGYPT TWO YEARS AFTER MORSI (PART II)

HEARING
BEFORE THE
SUBCOMMITTEE ON
THE MIDDLE EAST AND NORTH AFRICA
OF THE
COMMITTEE ON FOREIGN AFFAIRS
HOUSE OF REPRESENTATIVES
ONE HUNDRED FOURTEENTH CONGRESS

FIRST SESSION

DECEMBER 16, 2015

Serial No. 114-132

Printed for the use of the Committee on Foreign Affairs



Available via the World Wide Web: <http://www.foreignaffairs.house.gov/> or
<http://www.gpo.gov/fdsys/>

U.S. GOVERNMENT PUBLISHING OFFICE
97-998PDF

WASHINGTON : 2016

For sale by the Superintendent of Documents, U.S. Government Publishing Office
Internet: bookstore.gpo.gov Phone: toll free (866) 512-1800; DC area (202) 512-1800
Fax: (202) 512-2104 Mail: Stop IDCC, Washington, DC 20402-0001

COMMITTEE ON FOREIGN AFFAIRS

EDWARD R. ROYCE, California, *Chairman*

CHRISTOPHER H. SMITH, New Jersey	ELIOT L. ENGEL, New York
ILEANA ROS-LEHTINEN, Florida	BRAD SHERMAN, California
DANA ROHRABACHER, California	GREGORY W. MEEKS, New York
STEVE CHABOT, Ohio	ALBIO Sires, New Jersey
JOE WILSON, South Carolina	GERALD E. CONNOLLY, Virginia
MICHAEL T. McCaul, Texas	THEODORE E. DEUTCH, Florida
TED POE, Texas	BRIAN HIGGINS, New York
MATT SALMON, Arizona	KAREN BASS, California
DARRELL E. ISSA, California	WILLIAM KEATING, Massachusetts
TOM MARINO, Pennsylvania	DAVID CICILLINE, Rhode Island
JEFF DUNCAN, South Carolina	ALAN GRAYSON, Florida
MO BROOKS, Alabama	AMI BERK, California
PAUL COOK, California	ALAN S. LOWENTHAL, California
RANDY K. WEBER SR., Texas	GRACE MENG, New York
SCOTT PERRY, Pennsylvania	LOIS FRANKEL, Florida
RON DeSANTIS, Florida	TULSI GABBARD, Hawaii
MARK MEADOWS, North Carolina	JOAQUIN CASTRO, Texas
TED S. YOHO, Florida	ROBIN L. KELLY, Illinois
CURT CLAWSON, Florida	BRENDAN F. BOYLE, Pennsylvania
SCOTT DESJARLAIS, Tennessee	
REID J. RIBBLE, Wisconsin	
DAVID A. Trott, Michigan	
LEE M. ZELDIN, New York	
DANIEL DONOVAN, New York	

AMY PORTER, *Chief of Staff* THOMAS SHEEHY, *Staff Director*
JASON STEINBAUM, *Democratic Staff Director*

SUBCOMMITTEE ON THE MIDDLE EAST AND NORTH AFRICA

ILEANA ROS-LEHTINEN, Florida, *Chairman*

STEVE CHABOT, Ohio	THEODORE E. DEUTCH, Florida
JOE WILSON, South Carolina	GERALD E. CONNOLLY, Virginia
DARRELL E. ISSA, California	BRIAN HIGGINS, New York
RANDY K. WEBER SR., Texas	DAVID CICILLINE, Rhode Island
RON DeSANTIS, Florida	ALAN GRAYSON, Florida
MARK MEADOWS, North Carolina	GRACE MENG, New York
TED S. YOHO, Florida	LOIS FRANKEL, Florida
CURT CLAWSON, Florida	BRENDAN F. BOYLE, Pennsylvania
DAVID A. Trott, Michigan	
LEE M. ZELDIN, New York	

C O N T E N T S

	Page
WITNESSES	
Mr. David Schenker, Aufzien fellow and director, Program on Arab Politics, Washington Institute for Near East Policy	7
Mr. Eric Bjornlund, president, Democracy International	19
Steven A. Cook, Ph.D., Eni Enrico Mattei senior fellow for Middle East and Africa studies, Council on Foreign Relations	27
LETTERS, STATEMENTS, ETC., SUBMITTED FOR THE HEARING	
Mr. David Schenker: Prepared statement	10
Mr. Eric Bjornlund: Prepared statement	21
Steven A. Cook, Ph.D.: Prepared statement	29
APPENDIX	
Hearing notice	42
Hearing minutes	43
The Honorable Gerald E. Connolly, a Representative in Congress from the Commonwealth of Virginia: Prepared statement	44

EGYPT TWO YEARS AFTER MORSI (PART II)

WEDNESDAY, DECEMBER 16, 2015

HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE ON THE MIDDLE EAST AND NORTH AFRICA,
COMMITTEE ON FOREIGN AFFAIRS,
Washington, DC.

The subcommittee met, pursuant to notice, at 1:15 p.m., in room 2172, Rayburn House Office Building, Hon. Ileana Ros-Lehtinen (chairman of the subcommittee) presiding.

Ms. ROS-LEHTINEN. The subcommittee will come to order.

First, on behalf of all of the members of our subcommittee, we would like to express our deepest condolences to our dear friend and the ranking member of this subcommittee, Ted Deutch. Ted's mom, Jean, passed away last week, and I know that the hearts of every member of this committee go out to Ted and his family during this difficult time.

In Ted's absence, Mr. Connolly will serve as our ranking member today.

After recognizing myself and Ranking Member Connolly for 5 minutes each for our opening statements, I will then recognize any other member seeking recognition for 1 minute.

We will then hear from our esteemed panel of witnesses.

And, without objection, the witnesses' prepared statements will be made a part of the record, and members may have 5 days to insert statements and questions for the record subject to the length and limitation in the rules.

The chair now recognizes herself for 5 minutes. This is the second part of a hearing that we began in May, looking at Egypt's transition since Morsi was removed from power. In the hearing earlier this year, we heard some differences of opinion about the best way to move forward with our policy on Egypt, including exactly how much leverage the United States has or should attempt to wield over Egypt's domestic affairs. Egypt is an important ally and security partner for the United States. Egypt's strategic location, its assurance of safe passage through the Suez Canal, its peace treaty with Israel, and its demographics and cultural influence all mean that Egypt will continue to play a positive, crucial role in the Middle East in the years ahead.

Egypt is in a struggle with terrorism and Islamic jihadist groups, like ISIS and Al Qaeda, a struggle that will not be over, sadly, any time soon. It is essential that we maintain alliances like the one we have with Egypt, not only as a partner in providing logistical

support in the region but also as a participant in our shared fight against a twisted radical Islamic ideology.

Egypt's strong relationship with Israel, particularly with regard to their antiterrorism cooperation in the Sinai, is also of strategic benefit to us in the United States, especially in a region that so often appears bent on Israel's destruction. Yes, we have significant human rights concerns with Egypt, including inexcusable restrictions on freedom of the press, assembly, association, and expression; yes, reports of deplorable prison conditions, torture, and inhumane treatment, and discrimination of women and minorities should not and must not be swept under the rug. These issues must be addressed, and I continue to call on Egypt to improve its human rights practices and to allow more political space for Egyptian civil society.

The Egyptians are increasingly looking elsewhere for friends and allies outside of the United States, and it doesn't help when the Obama administration—excuse me, Mr. Connolly—keeps sending mixed messages.

We can work with Egypt to improve our security relationship, to push for human rights changes that we want to see, and to help it toward a long-term stability, economic growth, and progress on the democracy front that President Sisi himself has advocated because make no mistake: Long-term stability will only come with the kind of prosperity, respect for human rights, and self-determination that allows all Egyptians to feel that they have a say in the future of their beloved country.

Egypt just finished the last runoff in its long-delayed parliamentary elections, and while initial observations and reports do not indicate significant progress, I am hopeful that the new legislature will be able to make greater strides in the months ahead. As we all know, democracy is more than just elections, and both the Sisi government and the new legislature should use this time to set the stage for a full democratic transition in the future. One sign of goodwill that President Sisi could make immediately is pardoning the 43 pro-democracy NGO workers who were wrongly convicted in 2013 under Morsi. Correcting Morsi's mistakes this way would go a long way in demonstrating President Sisi's commitment to a democratic future and in repairing the damage that both the Morsi and the Obama administration did to the U.S.-Egypt relationship.

Despite the Obama administration's missteps, the Egyptian people should know that they do have a friend in the United States, a friend who is ready to be a better partner, a stronger ally, and one who is ready to assist when asked in order to achieve the stable, prosperous, open, and inclusive nation that Egyptians all deserve.

Lastly, I would like to once again thank my good friend from Virginia, our ranking member acting today in this capacity. I know that Mr. Connolly has followed these issues for years, ever since he was a Senate staffer on the Foreign Relations Committee. In June 2014, Mr. Connolly and I, as a matter of fact, asked GAO for a study, a report on U.S. foreign assistance to Egypt. And in a couple of days, we will receive the third installment of our report. And I know that we are looking forward to that.

And, with that, I am pleased to yield to today's ranking member, my good friend from Virginia, Mr. Connolly.

Mr. CONNOLLY. I thank the chair, and, gosh, I didn't know she was aware of my past work with the U.S. Senate Committee on the Foreign Relations.

The title of this hearing is "Egypt Two Years After Morsi (Part II)." It might be more appropriate to acknowledge that Egypt has moved beyond the post-Morsi period and transitioned clearly into a new and distinctly different era, clearly under the leadership of President Abdel Fattah el-Sisi. While we can still view many domestic developments in Egypt within the context of President Morsi's removal from power and the upheaval experienced during and subsequent to the 2013 military coup, Egypt's new leader, President el-Sisi, increasingly owns this moment in Egyptian history.

The U.S. has long paid a price for stability through a strategically important relation with Egypt, and it is the people of Egypt who have had to bear the price with respect to eroded rule of law, the loss of any political space, and the limits on freedom of expression. However, it is in this uniquely el-Sisi moment in Egyptian history that we have seen the simultaneous dissolution of security and democratic freedoms. As we move beyond the re-litigation of the 2013 coup, and as Egypt turns the page on the post-Morsi era, the U.S. owes this important relationship an honest appraisal of Egypt under this new government.

First, the U.S.-Egypt relationship is critical to regional stability and U.S. security interests. As the second largest recipient of U.S. military assistance and a major non-NATO ally, Egypt has long undergirded our security strategy in the Middle East, chief among which is, of course, preservation and maintenance of the Camp David Accords. The U.S. brokered the 1979 peace treaty between Egypt and Israel, ended a historical pattern of violence between the two nations and brought collaboration in a relationship previously defined by absolute conflict. The fact that the treaty was affirmed under both Morsi and now el-Sisi is the kind of continuity and commitment to peace this region desperately needs.

However, the Arab world's most populous nation faces a growing security threat from within, including terrorists blowing out of Libya into the Sinai, and the Egyptian Government has been beset with the challenge of trying to quell these insurgencies, where more than 700 security and defense personnel—Egyptian personnel—have, in fact, been killed.

The breakup of the Russian jet over the Sinai that claimed 224 lives was one of the more high-profile demonstrations of security failures in Egypt to date. The U.S. provides defense articles to assist with counterterrorism initiatives, but cooperation has suffered from poor relationships with Egyptian security institutions whose interests are sometimes misaligned with those of the United States. The effort to align and strengthen those relationships has been tempered by what many have characterized as a faltering democratic tradition—transition in Egypt punctuated with significant human rights violations. Congress has raised concerns about the trajectory of Egyptian democracy and put limiting conditions on

U.S. assistance in the consolidated appropriations bills of Fiscal Year 2014 and Fiscal Year 2015.

I have been glad, as the chairman noted, to collaborate with Chairman Ileana Ros-Lehtinen, in working with the GAO to evaluate ongoing security assistance programs in Egypt. Despite the administration's March 31 announcement that it would release frozen military assistance to Egypt, concerns remain. The Secretary of State has yet to certify that Egypt is supporting democratic transition, and we have witnessed troubling developments in the judicial system and brutal crackdowns conducted by security forces. The stream of mass death sentences—death sentences—handed down by Egyptian judges and the killings at al-Nahda and Rabaa al-Adawiya squares erode confidence in the rule of law. The announcement that former President Morsi himself has been sentenced to death was labeled unjust by our own State Department, and there is no doubt that carrying out the sentence would perpetuate the cycle of violence and zero-sum politics in Egypt.

It is estimated that there are now more than 40,000 political prisoners, along with 22 journalists behind bars in Egypt. I have met with individuals personally affected by this crackdown, including a young man, Mohammed Sultan, a young activist detained for more than 400 days after participating in citizen protests. I joined human rights groups in the U.S. State Department in advocating for his release and was pleased to see him finally return home to his family and have the opportunity to meet with Secretary Kerry to discuss his ordeal. What is important: Mohammed Sultan is an American and a victim of the Egyptian justice in the el-Sisi era.

The recently concluded House of Representatives elections did little to consolidate democratic gains, as the chair alluded. As the State Department noted on December 4 regarding those elections, the U.S. remains “concerned about low voter turnout and limited participation by opposition parties”—it is a bit of an understatement—“Furthermore, the United States continues to have concerns about limits on freedom of peaceful assembly, association, and expression, and their impact on the political climate in Egypt and calls upon the Government of Egypt to ensure these fundamental freedoms.”

As we discuss U.S.-Egypt relations, we must ask ourselves difficult questions about the long-term goals of the relationship in light of backsliding on both the security and civil engagement fronts. Those goals should inform our dialogue with the el-Sisi government and how we confront the fissures that have opened up in this alliance.

One thing of which we can be sure is that continued human rights abuses and power consolidation at the expense peaceful opposition in Egypt is neither consistent with U.S. interests and principles nor an expedient path to an ultimately secure region.

I look forward to hearing the testimony. Thank you, Madam Chair.

Ms. ROS-LEHTINEN. Thank you so much for an excellent statement, Mr. Connolly.

Mr. Rohrabacher of California.

Mr. ROHRABACHER. Thank you very much, Madam Chairman, and thank you for your leadership in this very important time in

our history in dealing with Middle East issues. President el-Sisi and his team have saved not just the people of Egypt but the entire Middle East from an unstoppable onslaught of radical Islamic terrorism. That is the bottom line. If he would not have acted, if he was not there today, if he fails, radical Islamic terrorism—that is fundamentally anti-Western in nature—will succeed throughout the Middle East. Leading up to al-Sisi's courageous actions, President Morsi made it clear that he was discarding the pledges of moderation and democratic reform. Morsi was and is part of the Muslim Brotherhood, which for decades has struggled to obtain power in order to achieve radical Islamic objectives. Let's note that one of President Morsi's promises was to free The Blind Sheikh, who is now being held in the United States, for his leadership and guidance in the attack on the World Trade Center, which he was trying to kill thousands of Americans. Yet Mr. Morsi was promising to free him from American captivity.

President Morsi's radical agenda became evident, and the people of Egypt rose up against what they saw was turning Egypt into an anti-Western caliphate. El-Sisi stepped in at that time when there were massive demonstrations against Morsi and prevented bloodshed at that point. And, of course, he won't get credit for that.

And we know that during times of crisis like this, whether it is in our country or other countries, there are things that are totally not consistent with a democratic society at times when things are stable. That is why it is important to lead Egypt toward stability and more democratic process. Morsi set out to do just that.

One last note, if Egypt, again, falls to radicalism, anti-Western radicalism, soon all the governments in that part of the world will be overwhelmed. There is no question about that. Our own Government has not been supportive, using the imperfections, which are many—and we have imperfections here, I might add, many of them—using those imperfections as an excuse to perhaps put us in jeopardy for a major expansion of radical Islamic terrorism in that part of the world. Thank you very much for your hearing today.

Ms. ROS-LEHTINEN. Thank you so much, Mr. Rohrabacher.

Mr. Meadows of North Carolina.

Mr. MEADOWS. Thank you, Madam Chair.

Thank you for your leadership and might I say your consistent voice on this issue. There has never been a day that we can't look to your leadership on this particular issue, and I thank you for that. As the witnesses testify today, I think probably the biggest issue that many of us will be looking toward hearing is, how do we take a system that is perhaps not perfect but also address those issues in a spirit of respect and truly out of appreciation for where Egypt is today?

It would be a mistake to focus so much on the imperfections without acknowledging some of the areas that have been addressed, and specifically Ambassador Tawfik, who is now back in Egypt, was the Ambassador from Egypt to Washington, DC, to the United States, during both government operations, was a personal friend. And one of the things that continued to be mentioned over and over again was how the Egyptian people felt like the United States had abandoned them in that friendship.

So if there is one message, Madam Chairman, that I want to communicate to the Egyptian people today, it is that there are a number of us, not just on Capitol Hill but across the United States, who look forward to an ongoing personal relationship with those in Egypt and that they can count on not only our strategic partnership but our friendship as we work through some of the difficulties that may face us.

I yield back.

Ms. ROS-LEHTINEN. Thank you, Mr. Meadows.

Mr. Trott of Michigan.

Mr. TROTT. Thank you, Chairwoman Ros-Lehtinen and Ranking Member Connolly. Although it has been a tumultuous few years, Egypt has always been an important and integral part of the United States-Middle East policy, even more so as our allies in the region face a range of threats from various state and non-state actors.

While most of the testimony today is going to rightfully be focused on security and stability in the elections, I would like to bring awareness to the situation of the

Copts, the region's largest Christian community. This past October, we commemorated the 4-year anniversary of Maspero, where peaceful protestors, mostly Copts, were attacked by state security forces. January 1 commemorates the 5-year anniversary of the bombing of the All Saints Church in Alexandria, where Copts were attacked and killed reportedly by non-state actors. This follows a disturbing trend of persecution against a peaceful group of people who have been in Egypt since Saint Mark brought Christianity there over 2,000 years ago. The Copts under Morsi and the Muslim Brotherhood were at the height of their modern-day persecution, with unprecedented attacks and rhetoric aimed at their Pope and religious institutions.

I was happy to see President Sisi visit a Coptic church to celebrate Christmas last year, and I hope that this is a sign that his administration will be as inclusive as possible with the Copts. This is an important issue I plan to stay focused on as Egypt looks to regain its footing, both domestically and internationally. I look forward to hearing from our esteemed panel particularly how the Copts are faring under President Sisi and what steps the Egyptian Government is taking to ensure that the Copts are part of Egypt's future.

I yield back my time.

Ms. ROS-LEHTINEN. Thank you very much, Mr. Trott.

Mr. Clawson of Florida.

Mr. CLAWSON. Thank you to the chairwoman for having this hearing. You are always consistent, and we appreciate that, as Representative Meadows said.

I appreciate you all coming. I am very interested to see what you think about how Egypt is going to handle ISIS and at the same time treat their citizens, particularly Christians, fairly. What are they going to do with Russia? And how are they going to treat Israel? And how do you get all that right at the same time? I think they have got a big balancing act here, and I am very curious what you have all got to say about it because we need to stop ISIS. We need to protect all folks, particularly Christians in this case, and

we have got to protect Israel. So I am looking forward to hearing what you all have to say.

Ms. ROS-LEHTINEN. Thank you very much to all of our members for their opening statements.

I now would like to introduce our distinguished panel of witnesses. First, we are pleased to welcome Mr. David Schenker, who is the director of Arab Politics at the Washington Institute for Near East policy. Previously, Mr. Schenker has served as the Department of Defense top policy aide on Arab countries, and he is the author of several books on Middle Eastern countries, as well as a regular contributor to several major daily newspapers.

Welcome, sir.

Next, we would like to welcome Mr. Eric Bjornlund, who is the president and cofounder of Democracy International. Eric has served for the National Democratic Institute as a senior associate and Asia director and as director of program coordination and general counsel. He was also a Woodrow Wilson fellow at the Wilson International Center for Scholars.

Welcome.

And, last but certainly not least, we would like to welcome back Dr. Steven Cook, who is the senior fellow for Middle East and Africa at the Council on Foreign Relations. Prior to this, Dr. Cook was a research fellow at the Brookings Institution and Washington Institute for Near East Policy.

Thank you, gentlemen, for being with us. Your statements will be made a part of the record. Please feel free to summarize. We will start with Mr. Schenker.

STATEMENT OF MR. DAVID SCHENKER, AUFZIEN FELLOW AND DIRECTOR, PROGRAM ON ARAB POLITICS, WASHINGTON INSTITUTE FOR NEAR EAST POLICY

Mr. SCHENKER. Thank you, Madam Chair, Ranking Member Connolly, distinguished members of the subcommittee. It is an honor to be here today to discuss security in Egypt 2 years after Morsi.

While the increasingly repressive trajectory of Sisi's Egypt should be a concern for Washington, the ongoing deterioration of security in Egypt is the more immediate threat. The recent downing of the Russian airliner over the Sinai by the Islamic State has drawn international attention to the problem. The reality, however, is that terrorism in Egypt is not confined to the Sinai. Terrorism in Egypt has traversed the Suez Canal and is taking root in the Nile valley.

Historically security in Egypt, and particularly in the Sinai, has never been particularly good, but it has deteriorated after the fall of Mubarak, and the violence spiked after the removal of Morsi, morphing into a full-scale Islamist insurgency now led by Wilayat Sinai, an Islamic State affiliate.

Since Morsi's removal, in addition to the bombed Russian airliner, we have seen tourists targeted the Sinai, checkpoints and police stations attacked, RPGs fired at ships in the Suez Canal. MANPADs have brought down ships and helicopters over the Sinai, and a Russian Kornet anti-tank weapon sunk an Egyptian warship in the Mediterranean off the Sinai coast. Over the past few years,

more than 1,000 Egyptian soldiers and policemen are estimated to have been killed in the Sinai.

Meanwhile, west of the Suez Canal, Egypt resembles the country in the 1990s when the State battled an insurgency led by Gamaa al-Islamiyah. In 2014, there were more than 300 attacks perpetrated in Egypt outside of the Sinai, and that number is likely to double in 2015. In this past summer alone, you had the chief prosecutor of Egypt, Hisham Barakat, assassinated in Cairo. You had a state security building bombed in Cairo and a suicide bomber attempted to target tourists in Luxor, all within 2 months.

No doubt Egypt is situated in a difficult neighborhood, but many of problems are self-inflicted. Egypt, for example, has not prioritized border security with Libya, the primary source of weapons flowing to the Sinai. Egypt's domestic counterterrorism capabilities are likewise lacking. If the accidental killing of eight Mexican tourists in the Western Desert in September 2015 is any indication, intelligence gathering on communications between the military and other domestic security agencies is also a real problem. Clearly, intelligence gathering remains a serious deficit in the Sinai as well, even though cooperation with the Israelis is reportedly helping fill some gaps.

Security challenges facing Egypt are enormous, and at present, Cairo does not appear to be up to the task. Given the regional deterioration, the continued stability and security of Egypt should be a priority for the U.S. There is much that we can do to help—working with Cairo—to mitigate the threats. These might include counterterrorism training. Egypt's heavy-handed and purely military approach has not succeeded, and it is not likely to succeed. It is not a problem of manpower. It is a problem of tactics. Egypt is resistant to change, but Washington has to continue to push Egypt to adopt modern COIN, counterinsurgency, techniques.

Second, developing the Sinai. Egypt's Sinai counterinsurgency approach is one-dimensional, but successful COIN campaigns have both civilian and military aspects. Absent educational and economic opportunities, the Sinai will continue to prove fertile ground for jihadist recruitment. We really have to invest in the Sinai and get our allies to do so.

We should leverage the Gulf. We have not been particularly good or successful in conditioning assistance to Egypt. I don't think we should pursue that route. We should be working with our Gulf allies, who give a lot more money, frankly, to Egypt than we do. There would be a lot more leverage, I think, there. And they would help perhaps to get Egypt to move toward economic development and adopt modern COIN techniques in the Sinai.

We also need to increase visibility in the Sinai. Sinai currently is closed. We don't have a very good idea of what is going on, especially important given the extensive reports of collateral damage and human rights abuses there.

We should also help Egypt to secure its border with Libya. We pressed them to reprogram some of the \$1.3 billion in their foreign assistance dollars to put different systems on the border. They have refused. They should devote financial resources to aerostat balloons, C4ISR, and even Black Hawk helicopters.

We have to help Egypt improve its airport security. This is a problem that Western financial and technical support can solve or at least help mitigate. We should prevent further unproductive delays in transfer of equipment. When we stop the flow, for example, of Apache helicopters, that is a primary tool in the counterinsurgency. There are other things we can keep from Egypt if we want to express our disappointment or anger with them. They viewed this, the withholding of the Apaches, as confirming the conspiracy that we wanted the return of the Muslim Brotherhood to government in Egypt.

Finally, we should avoid trying to leverage U.S. military assistance. It is not a productive policy. Even though the human rights are problematic and perhaps counterproductive to long-term stability of Egypt, the cutoff in U.S. assistance will neither improve Cairo's conduct nor enhance our already fraught bilateral relationship.

With that, thank you very much.

[The prepared statement of Mr. Schenker follows:]



Security Challenges in Egypt Two Years after Morsi

David Schenker

Aufzien Fellow and Director, Program on Arab Politics,
The Washington Institute for Near East Policy

Testimony submitted to the House Foreign Affairs Subcommittee on the Middle East and North Africa

December 16, 2015

Madam Chair, Ranking Member Deutch, distinguished members of the subcommittee: it is an honor to appear here to discuss security in Egypt.

For the past thirty-five years, Egypt has been a pillar of the U.S. strategic architecture in the Middle East. Amidst turbulence that has so far seen four regional states fail, the stability of Egypt—and the continued pro-West orientation of Cairo—has taken on added importance for the United States. While the increasingly repressive trajectory of President Abdul Fattah al-Sisi's Egypt should be a concern for Washington, the ongoing deterioration of security in Egypt is the more immediate threat. In October 2015, the Islamic State's apparent downing of a Russian airliner over the Sinai Peninsula drew international attention to the problem. The reality, however, is that terrorism in Egypt is not confined to the Sinai. Terrorism in Egypt has traversed the Suez Canal and is taking root in the Nile Valley.

Despite difficulties in the bilateral relationship, Egypt remains a critical U.S. partner in the Middle East. In addition to the ongoing strategic benefits of the relationship—including more than two thousand U.S. overflights and priority Suez Canal access for nearly a hundred U.S. warships and submarines per year—Egypt is one of two Arab states at peace with Israel. Washington and Cairo also share a common threat from Islamic militancy. Given the importance of the relationship, U.S. interests in the region would be best served by a stable Egypt. To this end, Washington can play a productive role in helping Cairo reestablish security.

Sinai Background

Security in the 23,000-square-mile sparsely populated and underserved Sinai Peninsula was a problem long before the presidency of Mohamed Morsi.¹ But in recent years, the situation has reached a crisis point. Jihadists exploited the breakdown in security after Mubarak was toppled in 2011, initially targeting Israel to stoke Egypt-Israel tensions. After Morsi's ouster in 2013, however, the militants turned their guns on the Egyptian government.

The Egyptian military started its campaign against Sinai-based jihadists in 2013, essentially from scratch, because it had few intelligence assets in the Peninsula, and limited experience in modern counterinsurgency, or

¹ For an excellent, highly detailed overview of the origins of Wilayat Sinai and jihadism in the Sinai, see Mokhtar Awad and Samuel Tadros, "Bay'a Remorse? Wilayat Sinai and the Nile Valley," *CTC Sentinel*, August 21, 2015, <http://www.hudson.org/research/11548-bay-a-remorse-wilayat-sinai-and-the-nile-valley>.

COIN, operations. More than two years into this operation, the Egyptian military still hasn't defeated a handful of terrorist organizations estimated to have fewer than two thousand members.

Historically, security in the Sinai was the responsibility of the *Mukhabarat*, Egypt's General Intelligence Directorate (GID). For decades, under the GID, Egyptian security forces, tourists, and international peacekeepers in the Sinai were periodically targeted by terrorists. Most prominently, between 2004 and 2006, networks of Bedouin and Palestinian militants carried out a series of high-profile attacks on the Sinai's top Red Sea resort destinations—Sharm al-Sheikh, Taba, and Dahab—killing more than a hundred foreigners and Egyptians. So long as the Sinai remained relatively quiet, however, Egyptian authorities permitted the territory's 500,000 mostly Bedouin residents to continue their activities, including their lucrative smuggling operations to Israel, Jordan, and Gaza.

After Mubarak's ouster, the military replaced the Mukhabarat as the lead agency for security in the Sinai, and the situation deteriorated. A combination of factors seems to have contributed to the subsequent decline in Sinai security. Perhaps most damaging, the Egyptian military has proven ill-equipped to deal with the burgeoning security challenges in the Sinai, which at least initially were primarily an intelligence—rather than a kinetic military—problem.

Beyond the issue of competence, the problem has been compounded by: (1) the toppling of Libyan dictator Muammar Qadhafi, and the start of a steady stream of heavy Libyan weapons flowing to the Sinai; (2) the freeing of jihadists from Egyptian jails—many of whom reportedly relocated to the Peninsula—by the transitional military government;² (3) Morsi's close ties with Hamas in Gaza, and his lenient attitude toward smuggling of personnel and materiel between Gaza and Sinai; (4) the Sisi administration's crackdown on smuggling with Gaza and Israel's construction of a border fence, which diminished traditional Bedouin revenue sources; and (5) the rise in Iraq and Syria of the Islamic State (IS) and the reinvigoration of regional jihadist movements.

The Current Deterioration

Over the past four years, these factors exacerbated endemic security issues, and sporadic terrorist incidents in the Sinai morphed into a full-scale insurgency. Early on, many of the strikes targeted the natural gas pipeline from Egypt to Israel and Jordan. Between Mubarak's ouster in 2011 and August 2014, the pipeline was bombed twenty-four times. But the real deterioration came in the summer of 2013. The removal from power that July of Egypt's Muslim Brotherhood president, Mohamed Morsi, by the military saw a spike in terrorist activity in the Sinai, with the frequency of attacks against police and military targets increasing exponentially. The month Morsi was toppled, there were nearly ninety terrorist attacks in the Sinai. Less than a month later, in August, twenty-five off-duty policemen were reportedly taken off buses and executed near the northern border town of Rafah.

Reflexively, the government of Egypt attributed these acts of terrorism to the Brotherhood, which was banned following the coup that brought Sisi to power. While the organization has not explicitly taken credit for specific acts of terrorism—and Cairo has yet to provide credible evidence to support its accusations—a January 2015 statement on the Brotherhood's website did call for "a long, uncompromising jihad" against the Sisi regime. While the Brotherhood may have sympathized with the violence in the Sinai, though, the organization was clearly not perpetrating the vast majority of the assaults.³

In recent years, evidence suggests other Islamist militant groups have been responsible for the majority of the Sinai violence. Small, previously unknown terrorist organizations started to carry out operations in the Peninsula shortly after the 2011 revolution. In August 2013, for example, a Sinai-based al-Qaeda affiliate called Kataib al-Furqan claimed credit and posted on YouTube video footage of its rocket-propelled grenade assault on a cargo vessel traversing the Suez Canal. Although the vessel did not sustain significant damage, the

² Jay Newton-Small, "How Egypt's Sinai Peninsula Figures in the Gaza Turmoil," *Time*, November 15, 2012, <http://swampland.time.com/2012/11/15/how-egypts-sinai-peninsula-figures-in-the-gaza-turmoil/>.

³ Morsi supporters have been implicated in low-profile attacks on infrastructure, including roads and electricity towers, as well as police stations.

group pledged to continue targeting canal shipping, and continued to perpetrate small-scale attacks against military and police targets.

After October 2013, Kataib al-Furqan basically disappeared, and soon after, another group, called Ansar Beit al-Maqdis, emerged and started to carry out its own attacks on Sinai targets. A year later, in November 2014, Ansar Beit al-Maqdis pledged allegiance to the Islamic State, and changed its name to Wilayat Sinai—the so-called Sinai Province. This new affiliation was accompanied by a series of lethal and spectacular attacks by the group, targeting police stations, checkpoints, military installations, and tourists on an almost daily basis.

The best statistics on terrorist attacks in the Sinai—and, in fact, documenting attacks throughout all of Egypt—have been aggregated by the Tahrir Institute for Middle East Policy (TIMEP).⁴ The numbers are staggering. In 2014, in northern Sinai, where the vast majority of the violence occurred, TIMEP recorded nearly 130 terrorist incidents. In 2015, the grim tally will almost certainly surpass 400 terrorist attacks.

But the statistics don't tell the whole story. To be sure, Wilayat Sinai operations in the Sinai demonstrate a high level of commitment, but they also suggest an organization with increasingly dangerous capabilities. During the group's July 2015 "Ramadan offensive," Wilayat Sinai simultaneously assaulted fifteen army and police positions in the town of Sheikh Zuwayid, deploying three suicide bombers to target two checkpoints and an officers' club in al-Arish, killing nearly seventy government forces in a single day.⁵

In addition to tactical coordination, Wilayat Sinai and its antecedent have successfully employed cutting-edge weaponry against the Egyptian military on the battlefield. Among the more worrisome munitions in the group's arsenal are MANPADs, likely to include the SA-18, which has a ceiling of 11,000 feet. In January 2014, Ansar Beit al-Maqdis claimed credit for downing an Egyptian M-17 helicopter in northern Sinai with a surface-to-air weapon, killing five crewmen. The IS affiliate also possesses the highly advanced Russian Kornet antitank weapons, which it reportedly employed to sink an Egyptian warship anchored off the Peninsula's Mediterranean coast in June 2015. Had Kataib al-Furqan deployed this system back in October 2013, it might have scuttled a ship in the Suez Canal, blocking international shipping and interrupting a critical source of Egyptian revenues.

Cairo historically has been willing to tolerate relatively low levels of persistent violence in the Sinai, but the current levels of lethality and frequency of attacks are excessive, even by Egyptian standards. The October 2015 attack on the Russian civilian airliner, which killed 224 passengers and crew, only made matters worse.

Sharm al-Sheikh had been a relative bright spot in Egypt's ailing tourism environment. The attack had an immediate negative impact on the tourism industry, and by extension the Egyptian economy. At the same time, the incident embarrassed Cairo, drawing attention to the ongoing insurgency and exposing serious gaps in state security. Compounding matters, Egypt continues to deny the possibility that a bomb or terrorism was responsible for the crash.⁶ The refusal to recognize the nature of the problem—much like Egypt did following a suicide pilot's 1999 intentional destruction of EgyptAir Flight 990, which killed 217—does not inspire confidence that Cairo will take steps to rectify airport security issues.

Potentially further complicating matters for Cairo are recent reports that the Islamic State's Sinai military commander Shadi al-Menai traveled in December to Gaza for talks with Hamas military wing (Izz-al-Din al-Qassam Brigades) leaders. While it is unclear what was discussed at the meetings, weapons smuggling cooperation was likely on the table.

⁴ See the Institute's website: <http://timep.org/>.

⁵ Avi Issacharoff, "Death Toll Rises to 70 in Jihadist Attacks in Egypt's Sinai," *Times of Israel*, July 1, 2015, http://www.timesofisrael.com/egypt-jets-strike-islamic-state-after-jihadists-kill-50/?fb_comment_id=787004408081386_787282451386915#t1da46bf04.

⁶ "No Signs of Terrorism" in Russian Airplane Crash, Say Egypt's Preliminary Investigators," *Egyptian Streets*, December 14, 2015, <http://egyptianstreets.com/2015/12/14/no-signs-of-terrorism-in-russian-airplane-crash-say-egypt's-preliminary-investigations/>.

The MFO at Risk

While Egyptian security forces and tourists are the principal targets of terrorists in the Sinai, international peacekeepers monitoring the security provisions of the Egypt-Israel treaty have also increasingly been threatened. Since 1982, the Multinational Force and Observers, or MFO, has been deployed in the Sinai. The MFO has 1,667 military personnel supplied by twelve countries and seventeen civilian officials. But the United States is the heart and soul of the organization. Between the infantry battalion task force, the logistics unit that provides aircraft and conducts air operations, and other staff, the United States contributes nearly seven hundred personnel to the MFO.⁷

To be sure, the MFO was targeted prior to 2011—in 2005, for example, an MFO vehicle was hit by a roadside bomb; a year later, another vehicle was targeted by a suicide bomber—but since 2011 the operational tempo of military actions against the troops is increasing.

In March 2012, a band of armed tribesmen surrounded the MFO camp at al-Gorah for eight days, demanding the release of Bedouin imprisoned for the 2004 Taba and 2005 Sharm al-Sheikh bombings. A month later, a group of Bedouin detained an MFO vehicle between two checkpoints. In September 2012, dozens of Bedouin attacked, infiltrated, and overran the MFO’s North Camp, firing automatic weapons and tossing grenades, and wounding four peacekeepers before a stand-down was negotiated. Then, in April 2013, a Hungarian peacekeeper was kidnapped by tribesmen and subsequently released. More recently, in August 2014, a member of the U.S. contingent was shot and wounded by an unknown gunman near the camp, and in June 2015, the MFO’s airport adjacent to North Camp was shelled.

In August 2015, after an improvised explosive device (IED) planted by the Islamic State wounded six MFO troops—four Americans and two Fijians—the Obama administration undertook a policy review and subsequently dispatched an additional seventy-five troops to assist with force-protection duties. The MFO has also since modified its monitoring deployments to better protect the Sinai force. Despite precautions and the modified mission contours, the MFO remains a target of Sinai-based militants.

Nile Valley

As bad as the situation is in the Sinai, however, this area’s problems represent perhaps the least of Cairo’s worries. Over the past two years, what began as a battle for the Sinai has shifted in geographic focus. Terrorism has traversed the Suez Canal, moving west from Egypt’s periphery to its heartland. Today, most terrorist incidents in Egypt are occurring not in the Peninsula but in the Nile Valley—in Cairo, Alexandria, Faiyum, and other cities along the Nile River—where 95 percent of Egypt’s 90 million citizens reside.

In 2014, more than three hundred attacks were perpetrated in Egypt outside the Sinai; nearly double that have occurred in 2015. These terrorist attacks have included routine drive-by shootings, grenade attacks, and the detonation of IEDs. In 2015, Egypt also saw attacks on trains, buses, textile factories, banks, military checkpoints, state security buildings, and judges’ clubs in Nile basin cities and towns. This past summer, in a particularly resonant event, Egypt’s chief prosecutor, Hisham Barakat, was assassinated in a Cairo car bomb. And on at least one occasion in 2015, a suicide bomber attempted to target tourists in Luxor, killing two policemen on June 15.

The connection between Sinai and Nile Valley terrorism was underscored in August 2015 when a Croatian worker kidnapped outside Cairo was subsequently beheaded in the Peninsula by Wilayat Sinai.

Increasingly, Egypt today resembles the country in the 1990s, when the state battled a pernicious and persistent insurgency led by al-Gamaa al-Islamiyah. During that decade, the Islamic Group—led by the blind cleric

⁷ David Schenker, “America’s Least-Known Mideast Military Force,” *Politico*, November 1, 2015, <http://www.politico.com/magazine/story/2015/11/sinai-crush-americas-least-known-mideast-military-force-213314#ixzz3tqLDxSFf>.

Sheikh Omar Abdul Rahman—wreaked havoc in Egypt, targeting policemen, government officials, Coptic Christians, and tourists, killing more than 1,200.

These days, terrorist operations west of the Suez are being perpetrated by a diverse group of organizations. Not only are attacks being committed by al-Qaeda and IS affiliates, they are also being carried out by non-Islamist revolutionary groups such as Ajnad Misr, the Popular Resistance Movement, and Revolutionary Punishment. The principal targets of these attacks are Egyptian government and security officials, but these organizations are also targeting tourists, infrastructure, and property, with an eye toward undermining the country's already feeble economy.

There is little doubt the terrorism is damaging Egypt's economic outlook. Tourism and foreign direct investment, two pillars of Egypt's economy, were not doing particularly well before the recent uptick in terrorism. The spike in violence is dissuading all but the most intrepid tourists. To wit, in early December, the Men's World Team Squash Championship was canceled because even Cairo was deemed too unsafe.⁸ In 2010, tourism accounted for nearly 23 percent of Egypt's current account receipts; by 2014, this figure had dipped to just 10 percent.⁹ Given the current trajectory, it would not be surprising if Egypt's projected 4.3 percent GDP growth for 2016 were soon downgraded. In 2015, Egypt's GDP growth will only be about 4 percent, a rate inadequate to create sufficient jobs for the state's swelling population.

Lack of Visibility and Collateral Damage

In recent years, the Egyptian government as a matter of policy has tried to prevent journalists from covering developments in the Sinai. Initially, Cairo portrayed this limitation as safety related. As the insurgency dragged on, however, the press ban has increasingly been seen in Egypt and the West as an effort to conceal military losses and human rights abuses.

In June 2015, after severe discrepancies between the press accounts and the official military figures on Egyptian casualties during the Islamic State's Sheikh Zuwayid campaign, Cairo issued a draconian new Counterterrorism Law imposing a two-year minimum sentence on journalists for "reporting false information on terrorist attacks which contradict official statements."¹⁰ The law applies to both local and foreign journalists. These government restrictions have made it almost impossible to ascertain certain basic facts about the trajectory of the Sinai insurgency.

At present, there are no official statistics available, for example, on the number of Egyptian security officials killed in the Sinai. There is also no official tally of militants killed. Perhaps most concerning, there is no publicly available data on the number of civilians killed, the collateral damage of Egypt's counterinsurgency campaign in the Sinai. Based on the available reporting, however, Egyptian military and civilian casualties in the Sinai could be quite high. It is widely estimated, for example, that more than a thousand Egyptian police, military, and border security personnel have been killed in the Sinai in recent years.

Collateral damage is harder to measure, but it also appears to be severe. Anecdotes and eyewitness accounts emerging from the Sinai suggest a scorched-earth campaign against the Islamists, with high levels of collateral damage, civilian casualties, and destruction of property and housing.¹¹ In addition to unintentional damage, Egypt has undertaken the large-scale demolition of hundreds of houses and apartments in Rafah, along the border with Gaza, in an effort to prevent smuggling via tunnels. According to Human Rights Watch, the forced

⁸ "World Squash Championship Called Off in Egypt for Security Reasons," *Egypt Independent*, December 4, 2015, <http://www.egyptindependent.com/news/world-squash-championship-egypt-called-security-reasons>.

⁹ "Can Increased FDI Inflows Make Up for Tourism Losses?" *Economist Intelligence Unit*, November 27, 2015.

¹⁰ "Egypt's Journalists' Syndicate Says New Anti-terror Law Will Curtail Press Freedom," *Ahram Online*, July 5, 2015, <http://english.ahram.org.eg/NewsContent/1/0/134619/Egypt/0/Egypt-s-journalists-syndicate-says-new-antiterror-l.aspx>.

¹¹ David Schenker, "Apaches in the Sinai," Policy Alert (Washington Institute for Near East Policy, January 16, 2014), <http://www.washingtoninstitute.org/policy-analysis/view/apaches-in-the-sinai>.

eviction of 3,200 families—many of whom reportedly never received government compensation—may have “violated international law.”¹²

At a minimum, the tack has engendered the anger of many additional Sinai residents, adding to the pool of potential militants. According to Egyptian journalist Mohannad Sabry, the military’s heavy-handed tactics in the Sinai appear to be fueling support for terrorism. As Sabry noted in July 2015:

There have been several reports from villages near Sheikh Zuweid and Rafah that dozens of people—criminals, moderate Salafists, victims of the turmoil—have joined WS [Wilayat Sinai]. One source told me that, until late 2013, there were just five members of ABM [Ansar Beit al-Maqdis] in his village. After 90% of the village was destroyed by government forces in a security campaign, some 40 people from the town carry weapons on WS’ behalf.¹³

While it is difficult to verify Sabry’s assessment, the general sentiment rings true. Although Egyptian officials routinely say that the state is “winning” in Sinai, four years on Egypt does not appear to be making progress toward containing or rolling back the Sinai insurgency. Worse, the ubiquitous reports of collateral damage raise the specter that Egypt may be making more terrorists—or terrorist sympathizers—than they are killing.

A significant part of the problem is how Egypt is waging its counterinsurgency campaign. As one former senior official in a friendly regional state described it, the tactics Egypt is employing in the Sinai are the opposite of the hard-learned best practices in modern counterinsurgency operations. “If you had a list of boxes that you check of things not to do,” he said, “the Egyptian military has checked every one of those boxes.”

Instead of being swift, mobile, and agile, they are slow and static. Instead of being grassroots-oriented, they want sophisticated air defenses. Instead of living with the population, they take their military and put them off in barracks that are isolated. Rather than strengthening civil society, they are in there crushing all those that support or allow insurgents to work inside society.¹⁴

Given this environment, it is perhaps not surprising that the new counterterrorism law—which includes provisions for fast-tracked trials in special courts for terrorism suspects, mandatory sentencing for Internet terrorism incitement, and life sentences for financing terrorism—is having no discernible positive impact.

Indeed, many Egyptians see the new counterterrorism law as focused more on limiting personal freedoms and public relations damage than on curtailing the threat. While Egyptians—craving stability after four years of continuous revolution and violence—appear to be broadly sympathetic to their government, it is unclear how long their patience will last, especially if the economy does not dramatically improve.

Recommendations

No doubt, Egypt is situated in a difficult neighborhood. To the west is the failed state of Libya; to the south is a failing state in Sudan; and to the east, Egypt is contending with a burgeoning insurgency in the Sinai and a Hamas (Muslim Brotherhood) controlled Gaza. Yet in many ways, Egypt does not appear to be taking even the most obvious steps necessary to better secure the state. Consider that although Egypt complains incessantly about weapons flowing in from Libya, it has not prioritized funding border-security measures on that frontier.

Egypt’s domestic counterterrorism capabilities are likewise lacking. The GID emerged from the 2011 revolution in a weakened state, and still hasn’t apparently fully recovered. If the accidental killing of eight

¹² Elsa Buchanan, “Egypt: Campaign to Fight ISIS in Sinai May Have Violated International Law, Says Human Rights Watch,” *International Business Times*, September 22, 2015, <http://www.ibtimes.co.uk/egypt-campaign-fightisis-sinai-may-have-violated-international-law-says-human-rights-watch-1520653>.

¹³ “Assault in Sheikh Zuweid: A Turning Point in Egypt’s Fight against Terrorism,” Tahrir Institute for Middle East Policy, July 2, 2015, <http://timp.org/commentary/assault-in-sheikh-zuweid-a-turning-point-in-egypts-fight-against-terrorism/>.

¹⁴ Interview recounted by Gregory B. Craig, “A More Constructive U.S. Egypt Policy,” Washington Institute for Near East Policy, video, 39:00, November 10, 2015, <http://www.washingtoninstitute.org/policy-analysis/view/cooperating-not-condoning-toward-a-more-constructive-u-s-egypt-policy>.

Mexican tourists in the Western Desert in September 2015 is any indication, intelligence gathering and communications between the military and other domestic security agencies is also a real problem. Clearly, intelligence gathering remains a serious deficit in the Sinai as well, even though cooperation with the Israelis is reportedly helping fill some gaps.

The security challenges faced by Egypt are enormous, and at present Cairo is not up to the task. Given the regional deterioration, the continued stability and security of Egypt should be a priority for the United States. There is much that Washington, working with Cairo, can do to help mitigate the threats. These steps might include:

Counterterrorism training. With Israel's permission, Egypt has deployed thousands of troops, along with dozens of armored vehicles, tanks, helicopters, and fixed-wing aircraft, into the Sinai to fight the insurgency. But Egypt's heavy-handed and purely military approach has not succeeded, and is unlikely to succeed. It's not a problem of manpower—it's a problem of tactics. For more than a decade, the United States has been conducting counterinsurgency operations against Islamist militants, and has learned valuable lessons in the process that Egypt, a major non-NATO ally, should benefit from. Cairo has historically been resistant to accepting advice. Washington has to make Egypt an offer of COIN training—in Egypt, the United States, or a third location—it can't refuse, creatively incentivizing the instruction and adoption of a new approach to counterinsurgency operations.

Developing the Sinai. Egypt's Sinai counterinsurgency approach is one-dimensional, but successful COIN campaigns have both civilian and military aspects. Problems in the Sinai didn't start with the Islamic State; the region has long been underserved, peripheralized, and unhappy with Cairo. The arrival of al-Qaeda and IS, and the breakdown of traditional tribal bonds, has only exacerbated the foment, and the collateral civilian damage meted out by the army is seemingly making matters worse. Absent economic and educational opportunities, the Sinai will continue to prove fertile ground for jihadist recruitment. In tandem with battling the insurgency, Washington should join with Cairo and other regional partners to invest in the Sinai, beyond the hotels of Sharm al-Sheikh.

Leveraging the Gulf. Washington has had little success in incentivizing improvements in Egyptian governance or modifications in military tactics by conditioning assistance dollars. It's possible that U.S. allies in the Gulf—Saudi Arabia, the United Arab Emirates, and Kuwait—which are currently underwriting Egypt's budget, would have more luck pressuring Cairo to prioritize Sinai economic development and adopt modern COIN techniques. The U.S. administration should be engaging with its Arab Gulf allies to help convince Egypt of the wisdom of these two initiatives.

Increasing visibility. Egypt has been loath to allow journalists or other outside observers—including U.S. military officials from the Defense Attaché's office at the U.S. embassy in Cairo—into the Peninsula. It would be helpful if U.S. strategists had more visibility regarding the situation on the ground in the Sinai. If Egypt were ever amenable, this could set the stage for a more robust U.S. advisory presence. Additionally, because Egypt is deploying U.S.-origin weapons systems in the fight, as accusations of human rights abuses mount, it will be important to either substantiate or refute the claims. This will require the presence of journalists on the ground.

Securing the border with Libya. The Obama administration has pressed Egypt to reprogram some of its \$1.3 billion in annual Foreign Military Financing (FMF) to deploy equipment and systems to help better secure the long, porous, and dangerous frontier between Egypt and Libya. Egypt has thus far refused.¹⁵ Egypt's atavistic attachment to expensive legacy systems—like F-16s, M1A1 tanks, and Harpoon missiles—with only marginal utility in the current threat environment is undermining state security. There is little appetite in Congress for increasing Egypt's \$1.3 billion in annual FMF. Washington has to do better in cajoling a recalcitrant Egypt

¹⁵ In June 2015, the author asked an Egyptian general why Egypt needed so many F-16s for its counterterrorism campaign. Wouldn't some of these funds be better spent to secure the border with Libya? The general said that like the United States, which was using F-16s to fight the Islamic State in Syria, Egypt needed this asset to contend with its own IS problem.

into devoting financial resources to aerostat balloons, C4ISR systems,¹⁶ and even Black Hawk helicopters for rapid troop response to threats.

Sweetening the pot. Convincing Egypt to slow the purchase of extremely costly prestige weapons systems will be difficult. If disclosure permits, perhaps Washington could encourage Cairo to do so by offering to sell other high-value/high-prestige weapons systems, including armed drones, which would benefit operations along the Libyan border and over the Sinai.

Boosting dialogue on Libya. There is a complete disconnect between Cairo and Washington on Libya. Washington is backing talks between factions in Libya that Cairo believes have no chance of succeeding. Egypt believes Libyan Gen. Khalifa Haftar's Operation Dignity militia is the most moderate local military force and worthy of materiel support. Twice in recent years, Egypt has taken military action in Libya against IS without first notifying Washington.¹⁷ Increased understanding—and perhaps coordination—on Libya may be a more productive course of action, particularly in terms of future intelligence sharing.

Encouraging more Israel-Egypt cooperation. In August 2013, an Israeli drone operating with permission in Egyptian airspace reportedly killed five Islamist militants in the Peninsula. The quiet Israel-Egypt cooperation in the Sinai has been one of the few bright spots in the region, but it remains sensitive. Israel has advanced intelligence and kinetic capabilities to assist Egypt in counterinsurgency operations in the Sinai. The United States should continue to encourage this cooperation, and urge Sisi to deepen it from the highest echelons to the working levels.

Improving Egyptian airport security. Despite Cairo's reluctance to concede a bomb may have downed the Russian airliner over Sinai in October, the United States, Egypt, and the international community all have an interest in addressing concerns over airport security in Egypt. As the *New York Times* reported in November, European officials "have repeatedly complained that X-ray and explosive-detection equipment used to scan baggage is out of date, poorly maintained or poorly operated by inadequately trained staff members."¹⁸ This is a problem that Western financial and technical support can and should help solve.

Preventing further unproductive delays. In 2013, a congressional hold delayed the transfer of ten Apache attack helicopters for use in Egypt's counterinsurgency for a full year. The attack helicopter armed with Hellfire missiles is a preferred Egyptian platform for Sinai operations, and the Egyptian leadership was furious over the delay. Indeed, it confirmed to much of the top military leadership the conspiracy theory that Washington was supporting a return to power of the Muslim Brotherhood. While there were clearly reasons for holding the delivery, this tack did not serve U.S. or Egyptian interests. In the future, if the United States feels the need to withhold weapons systems for Egypt, the United States should be careful not to pick counterinsurgency tools.

Avoiding the leveraging of U.S. military assistance. While it doesn't seem like Egypt is taking the terrorism problem seriously, evidence suggests that the Sisi administration sees it as a grave threat. Cairo's human rights policies are problematic and perhaps even counterproductive to the state's long-term stability. But a cutoff in U.S. assistance will neither improve Cairo's conduct nor enhance the already fraught U.S.-Egypt relationship. Indeed, precedent suggests that withholding assistance would aggravate—not moderate—the worst tendencies in Egyptian governance.¹⁹ To get what it wants from Egypt, the United States must be more creative—perhaps

¹⁶ Command, control, communications, computers, intelligence, surveillance, and reconnaissance.

¹⁷ David Kirkpatrick, "Egypt Launches Airstrike in Libya against ISIS Branch," *New York Times*, February 16, 2015, http://www.nytimes.com/2015/02/17/world/middleeast/isis-egypt-libya-airstrikes.html?_r=1; Patrick Kingsley, Chris Stephen, and Dan Roberts, "UAE and Egypt behind Bombing Raids against Libyan Militias, Say U.S. Officials," *Guardian*, August 26, 2014, <http://www.theguardian.com/world/2014/aug/26/united-arab-emirates-bombing-raids-libyan-militias>.

¹⁸ Karen Fahim, David K. Kirkpatrick, and Nicola Clark, "Gaps in Egyptian Airport Security Face Scrutiny after Crash," *New York Times*, November 7, 2015, http://www.nytimes.com/2015/11/08/world/middleeast/gaps-in-egyptian-airport-security-face-scrutiny-after-crash.html?_r=0

¹⁹ For example, between October 2013 and December 2014, when U.S. funding was conditioned on democratic progress, Cairo passed a draconian new anti-protest law, implemented a more restrictive NGO law, and witnessed Sisi win the presidential election with 97 percent of the popular vote.

by floating the prospect of reintroducing early disbursement of aid, or selling Cairo unprecedented equipment, like drones. Now that Egypt is receiving billions in Gulf funding per year—including substantial military aid—Washington is no longer the only game in town.

Ms. ROS-LEHTINEN. Thank you very much. Excellent suggestion.
Mr. Bjornlund.

**STATEMENT OF MR. ERIC BJORNLUND, PRESIDENT,
DEMOCRACY INTERNATIONAL**

Mr. BJORNLUND. Thank you, Madam Chairman, Ranking Member Connolly, other distinguished members of the subcommittee. It is an honor to appear today to address these important issues.

The recent House of Representatives elections in Egypt, which took place in stages from October to early December, marked the conclusion of the so-called roadmap to democracy declared after the ouster of President Morsi in July 2013. While these recent elections, along with the constitutional referendum and Presidential election last year, have completed a process of civilianizing the highest levels of government, they have not resulted in a more free or democratic Egypt.

Since 2013, Democracy International has monitored the electoral component of the roadmap through multiple international observation missions and a regular presence in country. As president of DI, I have had the opportunity to visit Egypt many times since the spring of 2013 and to lead our observation missions there.

Democracy International deployed the largest international mission to observe the constitutional referendum in January 2014. In May 2014, we carried out one of the largest comprehensive missions to observe the Presidential election process. But after the parliamentary elections were rescheduled for October to December of this year, we were unable to obtain visas for core staff members and observers until after voting had commenced in October. This initially limited our access to the process during the pre-election period and precluded the deployment of a full observation mission for the first stage. We, nonetheless, observed voting in 158 locations in 5 governorates. For the second stage in November and early December, our observers witnessed the balloting in 422 locations in 8 governorates, and we conducted more than 160 meetings with a broad range of stakeholders.

The elections took place amidst a backdrop of arrests, an ongoing crackdown on civil society and the media, and forced disappearances. Once-strong movements and political parties have been silenced. Opponents of the government have been arrested. Courts have ordered dissolution of their organizations. And an orchestrated campaign equating dissent with terrorism is echoed by much of the Egyptian media. This climate has not been conducive to meaningful democratic elections.

Public interest in the most recent elections was muted. Turnout was relatively low, especially among younger Egyptians. During 8 days of voting across the country, our observers rarely saw voters under the age of 35. Critics of the government, including groups who might identify themselves as liberals, as well as those that opposed the removal of former President Morsi, were largely prevented from participating or chose to boycott. Islamist parties, which constituted a majority of the Parliament elected in January 2012, were almost entirely absent or excluded.

The electoral system did not promote inclusion. Most of the members were elected as individuals and are nominally independent;

120 of the 596 members were elected on a winner-take-all basis from lists running in four large districts. Unlike traditional list systems in other countries which provide a means for including smaller parties and minority points of view, the list portion of the system in Egypt had the opposite effect. In fact, For the Love of Egypt, which is widely perceived to have the support of the government, won all 120 of the list seats.

Despite the presence of international and domestic observers, the election process was not fully open to independent scrutiny. Domestic election observation was neither robust nor widespread. Legitimate accredited international observers encountered obstacles, while others were simply not able to participate. The Carter Center announced in 2014 that it would not monitor the legislative elections after assessing that political space has narrowed. NDI, IRI, the Konrad Adenauer Foundation, and Freedom House, among others, were not able to even consider the possibility of observing or otherwise supporting Egyptian efforts because of the unjust and widely condemned trials and spurious convictions of 43 NGO workers in 2013.

To the credit of the High Electoral Commission and those who provided technical assistance to it, especially the International Foundation for Election Systems, the balloting process for the elections was conducted in an administratively satisfactory manner, and polling officials appeared diligent and conscientious. Nevertheless, procedures in polling stations and for the counting where we observed varied considerably from one to another. This might have been more worrisome if voter turnout had been higher or the elections had been more vigorously contested.

We should not misinterpret the orderliness of these elections. Larger stories about the parties and candidates who were not allowed to participate, the voters who stayed away, and the independent observers, domestic and international alike, who could not observe, all of which has occurred in a climate of political repression and declining freedoms. These elections reflect the trend we have observed throughout the past 2 years, decreasing space for political competition and increasing repression of opposition.

Genuine democracy is the only path to long-term stability in Egypt. Political repression and a disregard for basic rights make real democracy impossible and will only increase the ongoing polarization of Egyptian society. For Egypt to move forward with peace and stability, its leaders need to embrace political inclusion and to reorient the country toward broader respect for human rights and effective democratic institutions.

Thank you very much.

[The prepared statement of Mr. Bjornlund follows:]



Testimony of Eric Bjornlund
President, Democracy International

at a hearing of

Subcommittee on the Middle East and North Africa
House Committee on Foreign Affairs

on:

“Egypt Two Years After Morsi (Part II)”

Wednesday, December 16, 2015

What Recent Elections Tell Us About Egypt Two Years After Morsi

Thank you, Madame Chairman, Representative Deutsch, other distinguished members of the Subcommittee. It is an honor to have been invited to appear before this subcommittee. This is an appropriate time for this important discussion about the future of Egypt.

The recent House of Representatives elections in Egypt, which took place in stages from October to early December, marked the conclusion of the so-called “Roadmap to Democracy” declared by General Abdel Fatah El-Sisi after the ouster of President Muhammad Morsi in July 2013. Although recent elections have been a cause for hope in many countries around the world—including in Burma, Nigeria, Sri Lanka, and, most recently, Venezuela—Egypt’s elections over the past two years remind us that elections by themselves do not necessarily further democratization and human rights. While these recent House of Representative elections, along with the Constitutional Referendum and Presidential Election in 2014, have completed a process of civilianizing the highest levels of the government, they have not resulted in a more free or democratic Egypt.

This testimony reflects the findings of Democracy International’s comprehensive election observation program in Egypt funded by the United States Agency for International Development (USAID) over the past two years. Since 2013, Democracy International (DI) has monitored the electoral component of the “roadmap” through multiple international observation missions and a regular presence in country. Throughout the world, DI provides analytical services, technical assistance, and project implementation for democracy, human rights, governance, peace and resilience, and other international development programs. Since its founding in 2003, Democracy International has worked in 70 countries and has conducted election observation missions and election-assistance programs in 16 countries, many in conflict-affected or politically-unstable environments. As President of DI, I have had the opportunity to visit Egypt many times since the spring of 2013 and to lead our election observation missions there.

Democracy International established its election observation mission in Egypt in December 2013 and deployed the largest international mission to observe the constitutional referendum in January 2014 with 83 accredited international observers from 10 countries. In May 2014, DI carried out a comprehensive mission to observe the presidential election process, with 88 accredited observers from 17 countries. For the parliamentary elections initially scheduled for spring 2015, with accreditation from the High Electoral Commission (HEC) of Egypt, we deployed a core team of experts in February 2015 to assess the pre-election environment and election preparations, but our observers departed from the country in May after the elections were postponed and visas expired. After the elections were rescheduled for October to December, DI was unable to obtain visas for core staff members and observers until after the voting had commenced in October. This limited the mission’s access to the process during the pre-election period and precluded the deployment of a full observation mission for the first stage of the elections in October. The small team on the ground nonetheless observed voting in 158 locations in five governorates. For the second stage in November and early December, DI deployed more than 20 accredited international observers from six countries to observe the balloting in 422 locations in eight governorates.

DI's mission in Egypt has sought to demonstrate international support for democracy in the country, in accordance with the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, and the Egyptian Constitution, by providing an independent assessment of the electoral process. DI organized its mission in accordance with the Declaration of Principles for International Election Observation adopted at the United Nations in 2005 and the Code of Conduct for International Election Observers.

In each of our missions, we have seen how Egyptian authorities have attempted to hide a restrictive political climate behind a façade of electoral processes. To the credit of the HEC, and those who provided technical assistance to it, such as the International Foundation for Elections Systems (IFES), the administration of these elections over the past two years has been generally satisfactory. Such election-day problems and irregularities that we witnessed do not appear to have been systematic or intentional.

The elections took place, however, amidst a broader backdrop of arrests, an ongoing crackdown on civil society and the media, and forced disappearances. Many civil society organizations, trade unions, professional associations, and individual activists report continuing constraints on their ability to operate, including frequent arrests, harassment, armed raids by law enforcement or security services, and travel bans. Once-strong movements and political parties have been silenced, often with force. Opponents of the government have been arrested; courts have ordered dissolution of their organizations; and an orchestrated campaign equating dissent with "terrorism" is echoed by much of the Egyptian media. Many organizations say they limit their activities to avoid being viewed as overly critical of the government, the state narrative, or government policy positions. This climate has not been conducive to meaningful, democratic elections.

Constitutional Referendum

In early 2014, DI voiced serious concerns about the political environment in the period leading up to and during the voting for the Egypt's constitutional referendum. As we noted in our report on the referendum, there was no real opportunity for those opposed to the government's so-called "roadmap" or the proposed constitution to dissent. A number of high-profile activists and opponents of the "roadmap" were jailed, and the police and other security forces met public protests with violence. Some prominent groups were specifically prevented from campaigning against the adoption of the constitution. Other individuals attempting to campaign against the passage of the referendum were reportedly harassed. Some journalists were arrested and imprisoned. The Egyptian media overwhelmingly and actively supported the adoption of the constitution, and those opposed to the passage of the referendum were not afforded reasonable opportunities to express their views. We concluded that limits on freedoms of assembly and speech and restrictions on civil society seriously constrained the campaign environment and made a robust debate on the substance and merits of the constitution impossible.

Presidential Election

At the conclusion of Egypt's constitutional referendum process, DI called for the interim government to end repression and support a more inclusive political environment before subsequent elections. Unfortunately, although the Egyptian constitution adopted in the referendum guarantees freedom of speech and association, continued suppression of political dissent and re-

strictions on fundamental freedoms continued to prevent free political participation. These restrictions severely compromised the broader electoral environment for the presidential election in May 2014, making a competitive presidential election impossible. We concluded that the disregard for Egyptians' rights and freedoms prevented a genuine, democratic presidential election. Among other things, we expressed concern that the "protest law" adopted in November 2013, which limited public gatherings through burdensome permission requirements and disproportionate penalties, curbed peaceful public assembly and expression. Selective application of the protest law, systematic suppression of opposition protests, and rapid escalation of force by security forces discouraged participation in the political process during the presidential election. We also reported that a climate of pessimism, self-censorship, and fear pervaded the presidential election process. Arrests and convictions of journalists, political activists, and students as well as the banning of political organizations suppressed dissenting voices vital to fair elections and functioning democracy.

House of Representatives Elections

Most recently, voting for Egypt's House of Representatives was held in stages from October to December 2015. Egypt has not had an elected House of Representatives—previously called the People's Assembly—since June 2012, when the Supreme Constitutional Court dissolved the legislative body on grounds that it had not been elected constitutionally. Thus, these elections were to re-establish a potentially important governing institution. note

Although the administrative aspects of the parliamentary elections were generally satisfactory, we again found that restrictions on freedom of expression and political participation and a flawed election system made a fully democratic electoral process in Egypt impossible. The result will be a parliament that does not fully represent the views of all Egyptians. Unless those who assume seats in the new body take decisive action, these elections are unlikely to represent even a small step toward a more open and accountable political system in Egypt.

As we noted in our July 2015 interim report on the pre-election environment the repression of political opposition—including the criminalization of nonviolent political parties and movements—and the suppression of peaceful dissent through the misuse of legislation designed to restrict the foreign financing of terror groups have increased since the adoption of the Constitution and the election of President El-Sisi. Since the beginning of 2015, a number of forced disappearances have been reported. Arrests of journalists, including some trying to report on the election process, continue to mount. Laws limiting protests and governing the operations of civil society organizations continue to be applied in a manner that chills the freedoms necessary for robust democratic participation and debate.

Likely owing to voter fatigue and continued pessimism, public interest in these most recent elections in Egypt was muted. Turnout was relatively low, especially low among younger Egyptians. During the eight days of voting across the country, DI observers rarely saw voters under the age of 35.

Although a number of political parties participated in the elections by fielding candidates for individual and list seats, critics of the government, including groups who might identify themselves as liberals, as well as those that opposed the removal of former President Morsi in 2013,

were largely prevented from participating or chose to boycott. Islamist parties, which constituted a majority of the parliament elected in January 2012, were almost entirely excluded, either because of their designation as terrorist organizations, or because of their decisions to boycott.

The electoral system for the elections did not promote inclusion. The 596-member House of Representatives is composed of 448 members elected from 205 districts, each with one to four seats; 120 members elected on a winner-take-all basis from lists running in four large districts; and up to 28 members that may be appointed by the president. Unlike traditional list systems in other countries, where seats are allocated based on the proportion of votes that each list receives, the list portion of the system in Egypt was not a basis for encouraging representation of minority political parties or viewpoints. Rather, the Egyptian system had the opposite effect: the list that obtained a majority of votes in the first round or run off won all the available seats in that district. In fact, *For the Love of Egypt*, which is widely perceived to have the support of the government, won all 120 of the list seats in the first round of each stage. Thus, the list system did not provide a means for politically diverse representation.

Despite the presence of international and domestic election observers, the election process was not fully open to independent scrutiny. Domestic election observation was neither robust nor widespread. Although the HEC accredited 81 Egyptian groups to observe these elections, D1 observers saw nonpartisan or independent domestic observers in only 9 percent of polling stations they visited. Representatives of some nongovernmental groups that observed previous elections declared that observation was not worthwhile because the elections were unlikely to contribute to positive change in Egypt or asserted that the risks of genuinely independent observation were too high to justify engaging at this time.

Moreover, legitimate, accredited international observers encountered obstacles, while others were simply not able to participate. D1, for example—despite assistance from the HEC, the Ministry of Foreign Affairs, and the Egyptian Embassy in Washington, DC—did not receive visas for core staff members and observers until after the voting had commenced in October. This limited the mission’s access to the process during the pre-election period and precluded the deployment of a full observation mission for the first stage of the elections in October.

Although the Arab League, the Electoral Institute for Sustainable Democracy in Africa (EISA), and other organizations sent teams to observe these elections, other well-known and highly regarded international observers were not present. The European Union (EU) chose to deploy a three-person technical team. The Carter Center, which had maintained an almost continuous presence in Egypt since May 2011 monitoring and reporting on the political transition, and electoral process, announced in October 2014 that it would not monitor the legislative elections after assessing that “political space has narrowed for Egyptian political parties, civil society, and the media.” The National Democratic Institute for International Affairs, the International Republican Institute, the Konrad Adenauer Foundation, and Freedom House, among other groups, were not able to even consider the possibility of observing the election process, or supporting Egyptian efforts, because of the unjust and widely condemned trials and spurious convictions of 43 NGO workers in 2013.

The balloting process for the parliamentary elections was conducted in an administratively satisfactory manner, and polling station officials appeared diligent and conscientious. Nevertheless,

the procedures in polling stations where DI observed varied considerably from one to another. Moreover, election officials used inconsistent methods to count votes, which might have been more worrisome if voter turnout had been higher or the elections were more vigorously contested. In the future, the election management body should seek to standardize procedures and improve training for polling station officials.

The orderliness of these recent House of Representatives elections should not be misinterpreted: the larger story is about the parties and candidates who were not allowed to participate, the voters who stayed away, and the independent observers—domestic and international alike—who could not observe, all of which has occurred in a climate of political repression and declining freedoms. These elections reflect the trend that we have observed throughout the past two years: decreasing space for political competition and increasing repression of opposition.

Toward a More Democratic Egypt

Since the violent events of Summer 2013, Egypt has pursued a transitional roadmap without regard for basic political rights. Repressive laws have restricted the fundamental rights of freedom of assembly, association, and expression. State institutions have persecuted activists and political opponents based on their peaceful public expression of dissenting viewpoints. Journalists have been harassed and imprisoned simply for reporting these viewpoints. Courts have handed down harsh decisions against many defendants with little regard for due process, based apparently on their alleged ties to outlawed groups. Genuine democracy will be impossible in Egypt unless there is a fundamental change in this climate of oppression, self-censorship, and fear.

The election of a new president and, most recently, a new parliament could have marked the beginning of a reorientation by the Egyptian state toward broader respect for human rights, including adherence to existing constitutional rights and a commitment to establishing truly democratic institutions. So far, however, there seems to be little cause for optimism.

Although the new House of Representatives does not seem to fully represent the views of all Egyptians, it is a potentially important governing institution. But unless those who assume seats in the new body take decisive action, the parliament will not be even a small step toward a more open and accountable political system in Egypt.

Genuine democracy is the only path to long-term stability in Egypt. Political repression and a disregard for basic rights make real democracy impossible and will only increase the ongoing polarization of Egyptian society. Egypt's leaders must take steps to ensure that the fundamental rights of all Egyptians, as embodied in the constitution, are respected and enforced. For Egypt to move forward with peace and stability, its leaders need to embrace political inclusion and to reorient the country toward broad respect for human rights and effective, democratic institutions.

Ms. ROS-LEHTINEN. Thank you, sir.
Dr. Cook.

**STATEMENT OF STEVEN A. COOK, PH.D., ENI ENRICO MATTEI
SENIOR FELLOW FOR MIDDLE EAST AND AFRICA STUDIES,
COUNCIL ON FOREIGN RELATIONS**

Mr. COOK. Thank you, Madam Chair. And, Mr. Connolly, today the ranking member. It is a pleasure to be before you to discuss Egypt 2 years after Morsi.

As you are well aware, the United States has invested \$76 billion in Egypt since 1948. Egypt is important to the United States because it is at peace with Israel; it operates the Suez Canal, which is critical to both global trade and U.S. security policy; and it provides logistical support to American Forces operating in and around the Middle East and the Horn of Africa.

There was tremendous hope after Hosni Mubarak fell in February 2011, that Egypt would become democratic, provide an opportunity for its people to live prosperous, dignified lives. Unfortunately, those hopes have been misplaced. The coup d'état that brought an end to the Muslim Brotherhood's Mohammed Morsi's brief tenure at the Presidency has also not resulted in stability, prosperity, or democracy in Egypt. The most oft-cited figures are, since Morsi's ouster, an estimated 41,000 Egyptians have been jailed; about 3,000 have been killed. Those numbers, though, are certainly too low since they don't include most of 2015.

It is also important to point out, however, that 700 soldiers, officers, and other policemen, have lost their lives in a nasty insurgency raging in the Sinai Peninsula. In November 2014, in an ominous sign, the homegrown Egyptian jihadist group, Ansar Bayt al-Maqdis, pledged its allegiance to the self-declared Islamic State and changed its name to the Sinai Province of the Islamic State.

The four most important things that Members of Congress need to know about Egypt are the following: First, the Egyptian state is weak.

Second, President Sisi has not consolidated his power. That Sisi does not command the state should not be surprising. It took Mubarak the better part of a decade to clear away all of his opponents. In Egypt today, there is a struggle among multiple competing centers of power that include the Presidency, the armed forces, the General Intelligence Directorate, the Ministry of Interior, and the senior judiciary.

Three, Egypt's hypernationalist political discourse is polarizing and radicalizing the political arena.

Four, Sisi has clearly not learned the lessons of the Mubarak period. His overreliance on force and coercion is an inefficient means of establishing political control. If you ask me today if I believe that Egypt is stable, the intellectually honest answer is: I don't know, but President Sisi has offered us some clues to that stability based on the way he rules, and the way he rules, relying almost entirely on force and coercion, does not give me confidence.

What is the appropriate policy toward Egypt? It depends on what the United States wants, an issue with which policymakers have been struggling for the last 10 or 15 years. Democracy, it makes little sense to talk about supporting democratic transition in Egypt

today. There is also little reason to believe that the United States has the capacity to influence the direction of Egyptian politics. The Obama administration went so far as to delay military assistance and change the terms of that aid for the future. Yet it did not change Egyptian behavior.

On the economy, some believe that this is an opportunity for the United States to make a difference on the Egyptian economy. We should be cautious here. Those in power in Egypt today do not believe in an inclusive, broad, capitalist political economic development, but rather they are statists.

On security, Egypt is confronting a significant threat in the Sinai Peninsula from extremist groups. Unlike the Government of Iraq, which until the recent Ramadi operation has relied on Shiite death squads, Egypt has used its regular army in the fight. For a variety of reasons related to the U.S. assistance program, the senior command's resistance to altering its doctrine, and restrictions on the armed forces that stem from the Egypt-Israel Peace Treaty, the military has proven itself neither well-prepared nor well-equipped to take on the insurgency. They are getting critical assistance from the United Arab Emirates and, if reports are to be believed, Israel, but only the United States can really provide the resources necessary for the Egyptians. If the Egyptian armed forces distrust the United States—I am in whole agreement with David Schenker, how the suspension of critical defense articles have driven a wedge between the United States and the Egyptian armed forces.

What should the United States do? Very quickly, three things. First, in our diplomacy with Egypt, we must emphasize first-order first principles of tolerance, equal application of law, compromise, and nonviolence. Second, we must invest in Egypt's political future. It seems now that Egypt's future is unstable and authoritarian, but Egypt can change very quickly. It is worth our time and effort to invest in that political future.

And then, finally, we must support Egypt's fight against extremists. The United States should maintain its assistance package at current levels. It should also encourage the Egyptians through the promise of additional resources to alter its doctrine, its mix of equipment, to meet what the Pentagon calls 21st century threats. It seems perverse to offer to pay the Egyptians to do something that they already should be doing. But if our national interest dictates that we should help the Egyptians in this fight, it is the most effective means to go forward.

One last thing. Policymakers should be realistic about Egypt. The United States and Egypt have enjoyed strategic relations since the mid-1970s. Those relations are changing. These two countries are drifting apart. The Egyptians, as you, Madam Chairman, pointed out, are looking for new friends around the world. This is something consistent in Egyptian foreign policy. We must be prepared that our ability to affect what happens in Egypt is rather limited.

[The prepared statement of Mr. Cook follows:]

December 16, 2015

Egypt: Two Years After Morsi (Part II)

Prepared statement by
Steven A. Cook

*Eni Enrico Mattei Senior Fellow for Middle East and Africa Studies
 Council on Foreign Relations*

Before the
 Subcommittee on the Middle East and North Africa of the Committee on
 Foreign Affairs
United States House of Representatives
 1st Session, 114th Congress

Madam Chairperson and members of the Subcommittee:

Thank you and the Ranking Member for the invitation to appear before you to discuss Egypt two years after Morsi. As you are well aware, the United States has invested \$76 billion into since 1948. Egypt is important to the United States because it is at peace with Israel; it operates the Suez Canal, which is critical to both global trade and U.S. security policy; and it provides logistical support for American forces operating in and around the Middle East and the Horn of Africa. There was tremendous hope that after former President Hosni Mubarak fell in February 2011 that Egypt would make a transition to democracy, providing an opportunity for its people to live prosperous and dignified lives. Unfortunately, these hopes were misplaced.

The coup d'état that ended the brief presidency of the Muslim Brotherhood's Mohammed Morsi and brought General Abdel Fattah al-Sisi to power has not resulted in stability, prosperity, or democracy in Egypt. The most often-cited figures indicate that, since Morsi's ouster, an estimated 41,000 Egyptians have been jailed, and about three thousand have been killed. Those numbers are certainly too low since they do not include the political violence of 2015. In addition, seven hundred soldiers, officers, and policemen have lost their lives to an extremist insurgency in the Sinai Peninsula. In November 2014, the homegrown Egyptian jihadist group Ansar Bayt al-Maqdis (Supporters of the Holy House—meaning Jerusalem) pledged its allegiance to the self-declared Islamic State and changed its name to the Sinai Province.

The four most important facts that members of Congress must understand about Egypt today:

- *The Egyptian state is weak.* Egypt's leaders often seem to be in a state of perpetual confusion and unable to cope

The Council on Foreign Relations takes no institutional positions on policy issues and has no affiliation with the U.S. government. All statements of fact and expressions of opinion contained herein are the sole responsibility of the author.

with Egypt's multilayered political and economic problems. Frustration with Sisi's presidency seems to be on the rise as activists are currently planning a large demonstration on the five-year anniversary of the January 25 uprising, and even supporters wonder if he has the capacity to lead. As in the darkest, most contested days of Morsi's tenure, Egypt's failure once again seems plausible.

- *Sisi has not consolidated his power.* That Sisi does not command the state should not be surprising. It took Mubarak the better part of his first decade in power to clear away all of his competitors. In Egypt today, there is a struggle among multiple, competing centers of power that include the presidency, the armed forces, the General Intelligence Directorate, the Ministry of Interior, and the senior judiciary. These five groups agree on a single issue: The period between Mubarak's fall in February 2011 and the coup that toppled Morsi on July 3, 2013, was an aberration that is not to be repeated. The intervention in 2013 was intended to reestablish what these groups consider to be the natural political order. Since that time, however, their unity of purpose has frayed as they each maneuver for position and advantage. Competition between the Ministry of Defense and the Ministry of Interior, which plagued the eighteen-month period between Mubarak's fall and Morsi's election continues. The judiciary is intent on defending its prerogatives. Sisi both needs and fears the Ministry of Interior. The military does not want to be responsible for law and order, and the police generals know it, which gives them a free hand to do as they please. The senior command of the military must placate lower rungs of officers who believe that Sisi has not been tough enough on opponents of the new order. And the General Intelligence Directorate and the Ministry of Interior are at odds over the institutional differences between intelligence and police work.
- *Egypt's hyper-nationalist political discourse is both polarizing and radicalizing.* The Sisi-mania of 2013 sought to embed in the minds of Egyptians the legitimacy of the political order through a cult of personality around Egypt's new leader. That discourse has evolved in what can only be described as an uncompromising "hyper-nationalism." The main characteristic of this discourse is that those who have spoken out against or asked questions about the quality of politics in Sisi's Egypt are declared "un-Egyptian." Many who have been arrested, including members of the press, stand accused of aiding and abetting terrorism, but their actual transgressions have everything to do with their willingness to challenge the official version of events. Still others face criminal prosecution for "defaming Egypt." A critical component of the hyper-nationalist discourse is the vehement, and at times even seemingly irrational, insistence on the part of officials and their supporters that all is actually well in Egypt and that only a Muslim Brother—in the country's current political vernacular, the intended meaning is "traitor" and "terrorist"—would see things otherwise. The wave of nationalism, which is infused with an underlying paranoia about foreign plots, has had a polarizing effect on Egyptian society.
- *Sisi has not learned the lessons of the Mubarak period.* Specialists on Egyptian politics are often asked: "Is Egypt stable?" Despite the grim picture I have drawn above, the intellectually honest answer is: I do not know. That said, Sisi has provided us with clues about Egypt's prospects. There is a gap between what the Egypt's leadership tells its citizens about stability, prosperity, and democracy and the objective reality of most Egyptians who have limited economic prospects and who fear the random violence of both the state and terrorists. It is also a system that is dependent on patronage, sometime called "bribery." Toward that end, Sisi has sought to purchase the political quiescence of Egypt's almost seven million man-strong bureaucracy and the military's officer corps with rounds of pay raises. Finally, Egypt's leader has sought to establish political control primarily through violence. This heavy reliance on coercion and patronage are inefficient means of establishing and ensuring stability. In this way, the new Egypt looks strikingly similar to the old one. However, unlike Mubarak's Egypt, which was routinely described as authoritarian and *stable*, Sisi's Egypt is authoritarian and *unstable*.

Given this analysis and Washington's investment in Egypt, the inevitable question is this: What is the appropriate policy toward Egypt? It depends on what the United States wants, an issue with which policymakers have struggled

since the early 2000s. The main policy themes around the Egypt debate that has taken place are:

- **Democracy.** It makes little sense today to talk about supporting a democratic transition in Egypt. There is also little reason to believe that the United States has the capacity to influence the direction of Egyptian politics. It is not simply that the United States has not offered the Egyptians enough resources to give Washington leverage or that Cairo jealously guards its sovereignty, but rather the fact that Egyptian officials define their internal struggles as existential. Under these circumstances Egypt's leaders care little about what the United States says or does about their behavior. The Obama administration has gone so far as to delay military assistance and change the terms of that aid for the future, but to no effect. The temporary suspension of important defense articles like Apache helicopters, M1A1 tank kits, F-16s, and Harpoon missiles neither made Egypt more democratic nor less unstable. Even the United Arab Emirates, which has by some estimates spent two percent of its GDP to keep the Egyptian economy afloat, has been unable to rein in the worst excesses of the Egyptian leadership.
- **Economics.** Some observers have suggested that the United States should focus on helping the Egyptian economy. The World Bank estimates that Egypt's economy will grow 2.8 percent this year and hover around 3 percent through 2020. This is hardly enough to absorb the approximately 850,000 new entrants into the labor force every year. It would thus seem that Washington has an opportunity to help Egypt on economic issues, yet caution is warranted. Egypt's leaders are not in favor of private sector-led inclusive economic growth and the range of neoliberal economic reforms that the United States and the IMF deem necessary to get there. They are actually statist. The expansion of the Suez Canal, the revival of mega-projects that have been in development for years, and the favor given to the military in a number of areas underlines the significance of the state as Egypt's primary economic actor.
- It is worth noting that it is incorrect to assume that economic growth generates stability. The conventional view is that the Mubarak period was one of stagnation, but an analysis of the socioeconomic indicators between 1981 and 2011 demonstrate that, at least on paper, Mubarak's rule was transformative. In virtually every category Egyptians were better off at the end of Mubarak's tenure than before. Yet that did not insulate him from significant opposition, especially during his last decade in power when Egypt demonstrated impressive macroeconomic performance. In the end, rapid economic change and growth was actually destabilizing.
- **Security.** Egypt is confronting a significant threat from the Sinai Province and other extremist groups. Unlike the government of Iraq, which has relied on Shiite death squads to reverse the Islamic State's gains, Egypt has used its regular armed forces in the fight. For a variety of reasons related to the U.S. military assistance program, the senior command's resistance to altering its doctrine, and restrictions on the armed forces that stem from the Egypt-Israel peace treaty, the military has proven that it is neither well prepared nor well equipped to take on an insurgency. At times, the senior command has pursued counterproductive policies, such as clearing of the Rafah administrative zone in the Sinai, which demolished 3,255 buildings, resulting in the eviction of thousands of people. The Egyptians are getting critical assistance from the United Arab Emirates and other interested regional powers, but only the United States has the kind of resources and experience to help the Egyptians in this fight. Yet the Egyptian armed forces distrusts the United States. Senior commanders believe that Washington helped enable the Muslim Brotherhood and deeply resent the suspension of aid at a time when Egypt is confronting a major security threat. And they reject the notion that the crackdown on the Muslim Brotherhood in August 2013 produced the insurgency in the Sinai Peninsula, an argument that has been popularized in Washington. The United States will need to find a way to rebuild its relationship with the Ministry of Defense to be effective partners with the Egyptians in the fight against the Islamic State and its affiliates. The Egyptians make it hard to do this, however.

Egypt is a difficult problem made harder by the fact that Washington and Cairo are drifting apart. This is a phenomenon that was happening even before the January 25 uprising that brought Mubarak down. This is not to suggest that a breach in the relationship is in the offing, but rather that as the world has changed in the aftermath of the Cold War, the two governments have developed different priorities and interests. Still, Egypt remains important to the United States. Thus it is worth it for Washington to:

- *Emphasize first-order principles of tolerance, equal application of the law, compromise, and nonviolence in Washington's relations with Egypt.* In May 2011, Obama stated that the United States would look upon the uprisings in the Middle East with humility, but without abdicating our values. The administration and Congress must recommit to this idea. Given my previous analysis, this will likely only be important at the margins, but it does send a clear message that there is no such thing as "back to business as usual," and signals Egyptians who want to live in more open and democratic societies that the United States will not abandon them.
- *Invest in Egypt's political future.* The resources the United States spends on supporting programs that support the rule of law, tolerance, consensus building, political party development, and others that are important to well-functioning democracies are an investment in the future. Egypt looks grim at the moment, but it can change extraordinarily quickly as the recent past has demonstrated.
- *Support Egypt's fight against extremists.* It is true that the Egyptian armed forces have been part of the country's political problem. Autonomous military establishments do not contribute to the development of democratic politics. At the same time, Washington must be sensitive to the fact that the Egyptians are in a tough fight in the Sinai Peninsula. They cannot prevail without outside support. It is in one's interest for Islamic State-affiliated extremist groups and others to make gains in Egypt. It is the largest Arab state (approaching 100 million people), it remains at peace with Israel, and the Suez Canal remains an important global asset. The administration has already signaled its desire to rebuild relations with the armed forces, which is a good start, but the suspension of aid did some damage without effecting the kind of political changes the United States desired. The United States should maintain the assistance package at current levels. It should also encourage the Egyptians through the promise of additional resources if the Ministry of Defense alters its doctrine and mix of equipment to meet what the Pentagon calls "twenty-first century threats." It seems perverse to offer to pay the Egyptians to do something that they should already be doing, but if it is in the national security interest of the United States to help Egypt confront its own extremist threat, this is the most effective path forward.

Policymakers need to be realistic about Egypt. As the history of our relationship demonstrates, investments in Egypt quite often do not produce the desired results. There is significant mistrust between American and Egyptian officials, and Cairo has sought new partners and patrons. As frustrating as it may be, Egypt is too important, though mostly for negative reasons, for the United States to walk away.

Ms. ROS-LEHTINEN. Thank you.

Thank you to all three of you for excellent testimony. We will start voting at 2 p.m. So in order to make sure that our members have the ability and the time to ask questions, I will begin with Congressman Rohrabacher of California.

Mr. ROHRABACHER. Thank you very much. And, again, I would like to stress that any country has its imperfections and especially countries that are in crisis and where there are great threats from the outside and the inside generally have major inconsistencies with what I would consider to be part of what Americans believe in.

But let's just note that—let me ask the panel, however, when we are trying to figure out where Egypt is, all this criticism that we just heard and a lot of criticism we just heard, could you tell me another government besides Israel in that region that has a better electoral process, that actually is more closer to democracy, besides Israel? Anybody on the panel got a suggestion?

Mr. BJORNBLUND. Tunisia.

Mr. COOK. Tunisia.

Mr. ROHRABACHER. What?

Mr. COOK. Tunisia.

Mr. BJORNBLUND. Tunisia.

Mr. ROHRABACHER. Besides Egypt.

Mr. BJORNBLUND. Tunisia.

Mr. COOK. Tunisia.

Mr. ROHRABACHER. Tunisia. Okay.

Mr. COOK. Turkey.

Mr. ROHRABACHER. So Tunisia and—I don't know if Turkey is included in that or not. But that is not necessarily—they try to be part of Europe and part of that region. So Tunisia and Turkey are the models that you think would be good. Does Tunisia have a pretty stable government now finally? I mean, they went through the new Arab Spring. And I understand they were one of the few countries that went through that and came through with some stability. Is that right?

Mr. SCHENKER. They look better than almost any other country in the region.

Mr. COOK. That does not necessarily suggest that they are stable.

Mr. ROHRABACHER. I will accept that. So where would you stack in terms of, let's say, Qatar or, let's say, Saudi Arabia or how about—because Saudi Arabia just had an election. How are their elections and their treatment of minorities and things such as that?

Mr. COOK. Are you asking me, sir?

Mr. ROHRABACHER. Yeah, I am asking the panel.

Mr. COOK. I would say that when we are thinking about how Egypt has approached its own population and its own electoral systems, it is—it's electoral system, as Mr. Bjornlund pointed out, is drawn in a manifestly unfair way that makes it difficult for—

Mr. ROHRABACHER. Yeah, I noticed that.

Mr. COOK [continuing]. Makes it difficult for opponents to actually—

Mr. ROHRABACHER. Let me just note, Mr. Cook, could you hold on 1 second? What you are describing is our electoral system. Their system of winner take all is what we do here. And so what you are

complaining about is that they haven't taken the European system, but they have taken our system, and that is really bad.

Mr. COOK. I am uncomfortable with the idea that the United States' political system is analogous to that in Egypt.

Mr. ROHRABACHER. Well, you may be uncomfortable. So you don't like it.

Mr. COOK. I am profoundly uncomfortable with that.

Mr. ROHRABACHER. Okay. You don't like our system.

Mr. COOK. That is not what I said.

Mr. ROHRABACHER. You are uncomfortable with our system. The bottom line is I am not uncomfortable with it. Our Founding Fathers weren't. And the bottom line is the other system may be better. You may be better to have, say, so many people are voting for a Congressman that we will allot a certain number of Congressmen from the other party although none of them won in the election. But that is what the Europeans do. We don't do that. And now you are condemning el-Sisi for that? Wait a minute. Okay.

I have got a couple minutes. I have got to get a couple more questions out. We have President el-Sisi, who went to their clergy, the leadership of the Muslim clergy, and asked for tolerance, for people to try to work together and to cut off this sort of anti-Western radicalism and to accept other faiths. Is there another leader in the Middle East that you can tell me that did that? Muslim leader? Is there any other Muslim leader that did anything like that in the Middle East?

Mr. SCHENKER. The King of Jordan.

Mr. ROHRABACHER. Jordan?

Mr. SCHENKER. King of Jordan.

Mr. ROHRABACHER. Good. Okay. King of Jordan. Got any more? No. At the least, General Sisi is the best, except for Tunisia and perhaps Turkey and now maybe Jordan. The bottom line is you have to compare General Sisi not in terms of when things are calm, not in terms of basically democratic governments in Europe. You got to say: This is an emergency situation that has happened. You have talked about the insurgencies that he is facing and what our Government seems to have done, and we won't provide them drones. We didn't provide them spare parts for their tanks even. We have—they had a tough time getting any Apaches. When they finally got the Apache helicopters, they didn't have defensive systems on them. And I don't know—have they got the F-16s? Have they now been delivered finally?

Mr. COOK. They have the fourth largest inventory of F-16s.

Mr. ROHRABACHER. Okay. Were they delivered?

Mr. COOK. Yes.

Mr. ROHRABACHER. Okay. Fine. Because when I was there 2 years ago, they weren't. And then I went back a year later, and they still weren't. Okay. My time is just about up. Let me just note: I don't believe Egypt and General Sisi are polarizing their society. It is really easy to criticize someone in the middle of a crisis situation like that. For someone to suggest he is polarizing it at a time when Morsi basically was to most Egyptians trying to create an anti-Western caliphate and then to blame Sisi for polarizing and not having elections—

Ms. ROS-LEHTINEN. Thank you, Mr. Rohrabacher.

Mr. ROHRABACHER. Yes, thank you very much.
 Ms. ROS-LEHTINEN. Mr. Connolly is recognized.
 Mr. CONNOLLY. Thank you, Madam Chairman.

You know, I spar with my friend from California on this panel from time to time. And we are going to spar right now. I saw my friend from California put words in the mouth of Dr. Cook. And if we are going to lecture people about whether you believe in our system, I will point out that it was the official position of the United States Government that Morsi won a free and fair election, whether we like it or not. And my friend finds himself in the position of being an apologist for overturning a free and fair election. That is not American. That is un-American, even if you don't like the results. And I am no apologist for the Muslim Brotherhood or Morsi. But I remain troubled as an American and as a Member of this body that we find ourselves apologists for a military coup that overthrew a free and fairly elected government, one we didn't like, one that was trending in the wrong direction. But is this government trending in the right direction? You seem to suggest, my friend, they are. I beg to differ.

Mr. ROHRABACHER. Would the gentleman yield for a question?
 Seeing that he is—

Mr. CONNOLLY. Of course.

Mr. ROHRABACHER. Do you believe we are at war with radical Islamic terrorists?

Mr. CONNOLLY. I can't hear you. I am sorry.

Mr. ROHRABACHER. Do you think that we are at war with radical Islamic terrorists, just as we allied with Stalin during the, against Hitler, et cetera?

Mr. CONNOLLY. Reclaiming my time.

Mr. ROHRABACHER. Yes, sir.

Mr. CONNOLLY. There is no question that there is this dialectic in the world, and we are part of that. And our concern, let's—I think we would agree on, what do we want in Egypt? We want a stable, democratic, moderate Islamic government. How do you achieve it is the question. And I suggest that what the Morsi or what the el-Sisi government is doing guarantees that you will not achieve it. It guarantees there will be a backlash. It guarantees there will be no political opposition worth its salt, driving people into the arms of the very radicals or the Islamic Brotherhood you and I don't want.

So, pragmatically, what must we pursue and what must we encourage in Egypt to get the result you and I would both agree on? And that is where you and I disagree. I think being an apologist for this government and its methods is guaranteed to lead to a result we are going to really deeply regret. And given the testimony that our leverage is more limited than ever, God forbid we tie military assistance conditionally. What else have we got? Goodwill? Please, please, please? I mean, our leverage is pretty limited. And so I think we do need to rethink our policy in Egypt. We agree on a bottom line we want. But we don't agree on how to achieve it.

In fact, I am passionately convinced that if we pursue what my friend from California wants us to pursue, we will guarantee sooner or later an outcome that will be absolutely antithetical to our

interests and our desires and, frankly, the interests of the Egyptian people. Glossing over problems with this current regime on the human rights front, on the media front, freedom of press, freedom of assembly, I don't think does anyone a favor. And doing it in the name of our fight against radical Islam is a smokescreen. We do not promote democratic values in the Middle East by actually pulling back on our advocacy for those same democratic values because it is inconvenient, or it is a moment of emergency, or the elected government we didn't like went off on a track that we think, you know, was unhelpful or worse.

I think it is very clear that the human rights abuses that have occurred in Egypt are, frankly, far more serious than the predecessor regime that was overturned. And I don't mean by that to be an apologist for that predecessor regime. I was in Egypt. I was very uncomfortable with the direction of the Muslim Brotherhood government and told them so and came back feeling pessimistic, frankly, about the direction of Egypt. But I sure am not hopeful about the current direction of Egypt. And I believe it is going to exacerbate our problem in the fight against terrorism, whether it be in the Sinai or in the region as a whole. We need to stabilize that relationship. And I think we need to put on our thinking caps about what elements are going to be required to do that.

With that, I yield back.

Ms. ROS-LEHTINEN. Thank you very much for your cogent argument, Mr. Connolly.

Dr. Yoho—oh, Mr. Clawson, sorry. The bigness of Dr. Yoho hid the thinness of the basketball player.

Mr. CLAWSON. Where does the trend go with respect to Israel?

Mr. COOK. The relationship with Israel is better than it has been over a long period of time, primarily because there is a confluence of interests in the Sinai Peninsula. Both security services are co-operating and providing critical intelligence to each other to ensure that the extremist threat is met as effectively as possible, given all the deficits that the Egyptians have in combatting it. The troubling aspect, though, is that while government-to-government relations are good, the overwhelming number of Egyptians still regard Israel in an entirely negative light, overwhelming, 90-plus percent.

Mr. SCHENKER. Can I add to Dr. Cook? Egypt has asked Israel about 20 times to increase the number of troops, fixed-wing aircraft, helicopters, armored vehicles, tanks, to revise the terms periodically of the Camp David security annex to allow Egypt to put in more equipment. Israel has acceded to this. There was one incident 2 or 3 years ago where actually an Israeli drone, purportedly with Egyptian permission, flew over the Sinai an armed drone and killed five terrorists. So the cooperation on that level is excellent. But, still, as Dr. Cook points out, only, the only channels are at the highest levels of the intelligence. There is not a working level in intelligence exchange between Israelis and Egyptians, nor on the military levels on the working level. This is a government-to-government at the highest level relationship, not a peace between two peoples.

Mr. CLAWSON. And so if this intersection of incentives for security of the Sinai, if that ever goes away, as we lose, as our country

loses influence, I think all three of you said that in your opening statements, does that put our will that put our ally at more risk?

Mr. SCHENKER. I believe that Sisi recognizes that the ongoing peace treaty with Israel is in Egypt's interest and is going to honor that. I don't have any concern about that personally. It is not popular in Egypt at all. But it is not going anywhere. Now, if we were to start chipping away at the 1.3 billion in FMF and the 250 in ESF, I don't think the peace treaty would go away, but it would become more problematic.

Mr. CLAWSON. Our money is the glue.

I yield back.

Ms. ROS-LEHTINEN. Thank you, Mr. Clawson.

Dr. Yoho.

Mr. YOHO. Thank you, Madam Chair. And I apologize for getting here late.

Gentlemen, what is the status of ISIS in Egypt? And if you covered that already, I apologize. Are they growing? Do they have bases? Do they have training centers, recruitment centers, in your opinion? Mr. Schenker?

Mr. SCHENKER. Well, I will take this first. I believe, you know, after ISIS, after Ansar Bayt al-Maqdis, the biggest insurgent group in the Sinai, joined with ISIS last year, they have increased the number of operations, increasingly lethal ones, and appear to be getting a good flow of highly advanced weapons for which they have done—

Mr. YOHO. Where do they come from?

Mr. SCHENKER. The Egyptians say many of them are coming from Libya.

Mr. YOHO. From Libya, they came from—

Mr. SCHENKER. Well, from after the end of the Qadhafi regime.

Mr. YOHO. Were they stockpiles of ours? Because I have read reports that we had stockpiles of weapons that we had dropped over there that we don't know where they went.

Mr. SCHENKER. Well, I think what we have seen is that we believe that ISIS has used or Ansar Bayt al-Maqdis has used SA-18s—these are Russian-made that were in Qadhafi's stocks—to bring down the Egyptian helicopter over the Sinai. But they also apparently are now working with Hamas in Gaza. Some of these tunnels still exist. And ISIS is getting a cut of the weapons moving through the Sinai going into Gaza, working with the Bedouin there. So they also, perhaps, are getting weapons from Syria because we have seen the Kornet anti-tank weapon, which is a top-of-the-line Russian anti-tank weapon that the Assad regime had, and they used it apparently to sink an Egyptian warship off the Sinai coast in the Mediterranean.

Mr. YOHO. Let me interrupt you because you were talking about they were coming from Hamas. Is Hamas getting those through Iran? Do we have any information that they came directly from Iran, especially since the Iranian nuclear deal? I don't want to call it a deal.

Mr. SCHENKER. I don't have any direct information on that. I would assume some of this stuff is coming from Libya still. It used to come from Sudan. But Sudan, apparently, has changed sides. It is more oriented toward Saudi Arabia these days than Iran.

Mr. YOHO. Mr. Bjornlund, in your opinion, are you seeing influence and an effect from Libya and Syria spilling in and disrupting the Sisi government in Egypt?

Mr. BJORNLUND. Our focus is on democracy and elections. So it is not something that we have been able to directly do interviews about or talk to people about. So I would defer to my colleagues.

Mr. YOHO. I am glad you brought that up because I want to touch on a base that my colleague from Virginia brought up. You know that, let's see, he stated that we want a democracy in Egypt. What do the people of Egypt want? What does el-Sisi want? I mean, democracy as we know it doesn't generally work in one of those countries if they don't have the human rights, the protection of free speech, the religious freedom, the things that we believe in here, and not knowing their rights come from a creator, as we believe, versus they come from government. And so is it, what do they want over there?

I mean, we keep trying to say: We are going to help you with democracy. And if you don't understand how democracies work and the fight from the ground up, you know, through the people, I would like to hear your input on what the people are looking for, you know, what form of government serves the people of Egypt best?

Mr. BJORNLUND. The United States has had a policy for decades now to support democracy around the world.

Mr. YOHO. I know. And I am not a big fan of that. That is a neoconservative approach that I don't think our Government should do.

Mr. BJORNLUND. And there is the sense that democracy—if you define it in a culturally appropriate way—is a universal value. It is something that is about having a form of government that shows respect for all people and that all people have some say in how they are governed. And I think it is no different in Egypt, that people want to have their rights respected. They want to be able to go on with their lives and be involved in the system of government that they have.

The fundamental problem in Egypt is that there is significant polarization. There are very strongly held views that are very different from each other. There are large groups that believe religion should play a very important role in how government is organized, and other people that are members of minorities or are more secular or have interests that are threatened by that that have a different view of how government should work. And the long-term challenge for Egypt is to come up with some kind of social compact between these different views about what society is about. And we call that democracy. That is the word—

Mr. YOHO. Well, if I go back to the Founders, Ben Franklin said: "A democracy is two wolves and a sheep deciding what to have for dinner. And the sheep always loses."

The thing that makes our country work is it is a constitutional republic that protects the rights of the minority.

Mr. BJORNLUND. Absolutely.

Mr. YOHO. And it came from the ground up.

Madam Chair, I yield back. Thank you.

Ms. ROS-LEHTINEN. Thank you.

Mr. BJORNBLUND. Could I just take this opportunity?

Ms. ROS-LEHTINEN. Yes, sir.

Mr. BJORNBLUND. I just want to clarify, because we talked a little while ago about the elections. And I want to make sure that everybody realizes the election system that they used for the Parliament, electing the Parliament in Egypt, is not at all similar to the system in the United States. Most of the members were elected in multi-member districts. A few of them were one seat, but they ranged up to four. And voters were instructed to cast the number of ballots that there were number of seats. Those are mostly not party-affiliated people; they are most calling themselves independents.

The winner-take-all aspect of the election is the list part of the system, which is 120 of the 596 votes. And that was large—these are large districts with, you know, tens or dozens of members in them, where if you got 51 percent of the vote, you got 100 percent of the seats. That is not the U.S. system. And the point I was making is it is not the European system either.

Ms. ROS-LEHTINEN. Thank you so much, Dr. Yoho.

And my crack staff or my staff on crack, I don't know which one it is, had some wonderful questions for me to ask our panelists. But, lamentably—it is not a bad problem to have—we have a series of votes on the floor. So we will have to adjourn our subcommittee.

But I want to thank you so much for your excellent testimony.

And Mr. Connolly always wants to have the last word.

Mr. CONNOLLY. No, I just wanted to thank you. I wanted to thank you for this hearing. I think this was a really thoughtful conversation. I hope we can expand on it because this is a critical relationship. And we have to try to get it right. So thank you all for participating. Thank you.

Ms. ROS-LEHTINEN. So much depends on it.

Mr. CONNOLLY. So much depends on it.

Ms. ROS-LEHTINEN. Thank you.

And condolences again to Mr. Deutch and his entire staff as well.

With that, this subcommittee is adjourned. Thank you, ladies and gentlemen.

[Whereupon, at 2:15 p.m., the subcommittee was adjourned.]

A P P E N D I X

MATERIAL SUBMITTED FOR THE RECORD

**SUBCOMMITTEE HEARING NOTICE
COMMITTEE ON FOREIGN AFFAIRS
U.S. HOUSE OF REPRESENTATIVES
WASHINGTON, DC 20515-6128**

**Subcommittee on the Middle East and North Africa
Ileana Ros-Lehtinen (R-FL), Chairman**

December 10, 2015

TO: MEMBERS OF THE COMMITTEE ON FOREIGN AFFAIRS

You are respectfully requested to attend an OPEN hearing of the Committee on Foreign Affairs, to be held by the Subcommittee on the Middle East and North Africa in Room 2172 of the Rayburn House Office Building (and available live on the Committee website at <http://www.ForeignAffairs.house.gov>):

DATE: Wednesday, December 16, 2015

TIME: 1:00 p.m.

SUBJECT: Egypt Two Years After Morsi (Part II)

WITNESSES: Mr. David Schenker
Aufzien Fellow and Director
Program on Arab Politics
Washington Institute for Near East Policy

Mr. Eric Bjornlund
President
Democracy International

Steven A. Cook, Ph.D.
Eni Enrico Mattei Senior Fellow for Middle East and Africa Studies
Council on Foreign Relations

By Direction of the Chairman

The Committee on Foreign Affairs seeks to make its facilities accessible to persons with disabilities. If you are in need of special accommodations, please call 202/225-5021 at least four business days in advance of the event, whenever practicable. Questions with regard to special accommodations in general (including availability of Committee materials in alternative formats and assistive listening devices) may be directed to the Committee.



COMMITTEE ON FOREIGN AFFAIRS

MINUTES OF SUBCOMMITTEE ON Middle East and North Africa HEARING

Day Thursday Date 12/16/15 Room 2172

Starting Time 1:00 p.m. Ending Time 2:15 p.m.

Recesses [0] (to) (to) (to) (to) (to)

Presiding Member(s)

Chairman Ros-Lehtinen

Check all of the following that apply:

Open Session Executive (closed) Session Televised

Electronically Recorded (taped) Stenographic Record

TITLE OF HEARING:

Egypt: Two Years After Morsi (Part II)

SUBCOMMITTEE MEMBERS PRESENT:

Chairman Ros-Lehtinen, Reps. Meadows, Yoho, Clawson, and Connolly

NON-SUBCOMMITTEE MEMBERS PRESENT: (Mark with an * if they are not members of full committee.)

Rep. Rohrabacher

HEARING WITNESSES: Same as meeting notice attached? Yes No
(If "no", please list below and include title, agency, department, or organization.)

STATEMENTS FOR THE RECORD: (List any statements submitted for the record.)

SFR - Rep. Connolly

TIME SCHEDULED TO RECONVENE _____
or
TIME ADJOURNED 2:15 p.m.



Subcommittee Staff Director

Statement for the Record*Submitted by Mr. Connolly of Virginia*

The title of this hearing is “Egypt Two Years After Morsi (Part II),” but it might be more appropriate to acknowledge that Egypt has moved beyond the post-Morsi period and transitioned into a new and distinctly different era under the leadership of President Abdel Fattah el-Sisi. While we can still view many domestic developments in Egypt within the context of President Morsi’s removal from power and the upheaval experienced during the 2013 military coup, Egypt’s new leader, President el-Sisi, increasingly owns this moment in Egyptian history.

The U.S. has long paid a price for stability through a strategically important relationship with Egypt, and it is the people of Egypt who bear that price with respect to eroded rule of law, the loss of political space, and limits on freedom of expression. However, it is in this uniquely el-Sisi moment in Egyptian history that we have seen the simultaneous dissolution of security and democratic freedoms.

As we move beyond the re-litigation of the 2013 coup and as Egypt turns the page on the post-Morsi era, the U.S. owes this important relationship an honest appraisal of Egypt under its new government.

First, the U.S.-Egypt relationship is critical to regional stability and U.S. security interests. As the second largest recipient of U.S. military assistance and a major non-NATO ally, Egypt has long undergirded our security strategy in the Middle East, chief among which is the preservation of the Camp David Accords.

The U.S.-brokered 1979 peace treaty between Egypt and Israel ended a historical pattern of violence between the two nations and brought collaboration to a relationship previously defined by conflict. The fact that the treaty was affirmed under both Morsi and now el-Sisi is the kind of continuity and commitment to peace the region desperately needs.

However, the Arab world’s most populous nation faces a growing security threat from regional terrorist elements – including those flowing out of a chaotic Libya – and the Egyptian government has been beset with the challenge of quelling insurgencies in the Sinai Peninsula where more than 700 Egyptian security and defense personnel have been killed. The break up of the Russian jet over the Sinai that claimed 224 lives was one of the more high profile demonstrations of security failures in Egypt to date.

The U.S. provides defense articles to assist with counter-terrorism initiatives, but cooperation has suffered from poor relationships with Egyptian security institutions whose interests are sometimes misaligned with those of the U.S. The effort to align and strengthen these relationships has been tempered by what many have characterized as a faltering democratic transition in Egypt, punctuated with significant human rights abuses. Congress has raised concerns about the trajectory of Egyptian democracy and repeatedly put limiting conditions on

U.S. assistance in the Consolidated Appropriations bills for FY2014 and FY2015. I have been glad to join with Chairman Ileana Ros-Lehtinen in working with the Government Accountability Office to evaluate ongoing security assistance to Egypt.

Despite the Administration's March 31, 2015 announcement that it would release frozen military assistance to Egypt, concerns remain. The Secretary of State has yet to certify that Egypt is supporting a democratic transition, and we have witnessed troubling developments in the judicial system and brutal crackdowns conducted by security forces. The stream of mass death sentences handed down by Egyptian judges and the killings at al Nahda and Rabaa al Adawiya squares erode confidence in the rule of law. The announcement that former President Morsi has been sentenced to death was labeled "unjust" by the U.S. State Department, and there is no doubt that carrying out the sentence would perpetuate the cycle of violence and zero-sum politics in which Egypt is currently trapped.

It is estimated that there have been more than 40,000 political prisoners in el-Sisi's Egypt and there are 22 journalists currently behind bars. I have met with individuals personally affected by el-Sisi's crackdown, including Mohamed Soltan, a young activist detained for more than 400 days after participating in citizen protests. I joined human rights groups and the U.S. State Department in advocating for his release and was glad to see him finally return home to his family and have the opportunity to meet with Secretary Kerry to discuss his ordeal. Mohamed Soltan is an American citizen and a victim of Egyptian justice in the el-Sisi era.

The recently concluded House of Representatives elections did little to consolidate democratic gains. As the State Department noted on December 4, 2015 regarding the elections, the U.S. remains "concerned about low voter turnout and limited participation by opposition parties." Furthermore, "the United States continues to have concerns about limits on freedom of peaceful assembly, association, and expression and their impact on the political climate in Egypt, and calls upon the Government of Egypt to ensure these fundamental freedoms."

As we discuss U.S.-Egypt relations, we must ask ourselves difficult questions about the long-term goals of the relationship in light of backsliding on both the security and civil engagement fronts. Those goals should inform our dialogue with the el-Sisi government and how we confront the fissures that have opened in the alliance. One thing of which we can be sure is that continued human rights abuses and power consolidation at the expense of peaceful opposition in Egypt is neither consistent with U.S. interests and principles nor an expedient path to a secure Egypt.

